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NO. 84-

IN THE

Supreme Court of the United States

October Term, 1984

The National Association for the Advancement of Colored People, Inc., through its South Carolina State Conference of Branches, and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers, and S.T. Peden,

Appellants,

vs.

The State of South Carolina, Ex. Rel. Michael Roland Daniel, Lieutenant Governor of the State of South Carolina and as President and Presiding Officer of the Senate, Marshall Williams, Chairman of the Senate Judiciary Committee, Raymon Schwartz, Jr., Speaker of the House, Robert J. Sheheen, Chairman of the House Judiciary Committee, and James B. Ellisor, Executive Director of the South Carolina Election Commission; Joe Wilder; and, Dr. George G. Graham, as Chairman of the Republican Party of South Carolina, H. Sam Stilwell, and W. Richard Lee, individually and as representative of a class of persons who seek to vote and hold the office of State Senator in the State of South Carolina.

Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

JURISDICTIONAL STATEMENT

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QUESTIONS PRESENTED FOR REVIEW

Whether the opinion of the three judge court adopting an interim court ordered reapportionment plan for the South Carolina Senate, but which was never implemented, should be vacated and remanded with directions to dismiss as moot because of the subsequent enactment by the state, preclearance by the Attorney General and implementation of a permanent legislative senate reapportionment plan?

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OPINIONS BELOW

The July 31, 1984 opinion of the three judge court for the United States District Court for the District of South Carolina adopting an interim reapportionment plan for the South Carolina Senate is unreported and is appended hereto at 1a.

The August 13, 1984 opinion of the three judge court vacating a portion of the July 31, 1984 opinion is unreported and is appended hereto at 53a.

JURISDICTION OF THE COURT

This is an appeal from a decision of a three judge court convened pursuant to 28 U.S.C. §§1331, 1343 and 2284, 42 U.S.C. §1983 and the Voting Rights Act of 1965, 42 U.S.C. §§1973c and 1973j(f).

The decree sought to be reviewed was entered on July 31, 1984. The no-

tice of appeal was filed in the United States District Court for the District of South Carolina on August 3, 1984. A copy of the notice of appeal is appended hereto at 64a.

Jurisdiction of this appeal is conferred on this Court by 28 U.S.C. §1253 and 42 U.S.C. §1973c.

CONSTITUTIONAL PROVISION INVOLVED

United States Constitution, Article 3, Section 2, Clause 1:

> The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;--between a State and Citizens of another State;--between Citizens of different States;--between Citizens of the

same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

STATEMENT OF THE CASE

On November 15, 1983 the General Assembly of South Carolina enacted Act No. 257 reapportioning the state Senat into 46 single member districts.[1] Since South Carolina is covered by Section 5 of the Voting Rights Act of 1965, 42 U.S.C. §1973c, the state commenced an action in the District Court for the

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1. Prior to enactment of Act No. 257, the Senate was apportioned into 16 districts, 13 of which had between two and five numbered seats, in accordance with the provisions of Act No. 1205 of 1972. Based upon the 1980 Census, Act No. 1205 contained a total deviation among districts of 54.33%, a deviation which the parties to this law suit conceded, and which the three judge court found, was in violation of the one person-one vote principle of the Fourteenth Amendment. 10a.

District of Columbia on December 6, 1983 seeking a declaratory judgment that Act No. 257 had neither the purpose nor the effect of discriminating on the basis of race or color. South Carolina v. United States, Civ. No. 83-3626 (D. D.C.).[2] As a result of litigation delays, trial on the merits was not scheduled until October 22, 1984. 16a.

On June 13, 1984, Appellee Graham, as Chairman of the Republican Party of South Carolina, and two others representing a class of persons seeking to vote and hold office, filed this suit against Appellee state officials. They alleged that because of the October trial date in South Carolina v. United

2. Appellants, who are the South Carolina State Conference of Branches NAACP, and certain of its officers and members, sought and were granted leave to intervene as party defendants.

States, supra, even if a decision favorable to the state "is reached immediately after the hearing, there will not be time for primaries and/or elections during the year 1984." They requested the three judge district court to fashion senatorial districts and insure that elections be held at the regularly scheduled time.

The various state officials filed their answers and requested the court, inter alia, to implement Act No. 257, or a plan incorporating the legislative apportionment policies of the South Carolina General Assembly contained in Act No. 257, without preclearance under

Section 5. 17a.[3] Appellants intervened as plaintiffs for the purpose of enforcing the Voting Rights Act of 1965 and insuring that no reapportionment plan be implemented by the state which incorporated the legislative policy choices of of the South Carolina General Assembly

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3. The state had earlier attempted to implement Act No. 257, despite the pendency of South Carolina v. United States, supra, by allowing and requiring candidate filing. These attempts, however, were enjoined by the District of Columbia court on April 26, 1984 in an order which provided that the state and its agents "shall neither require nor permit any other or further action on their part to be taken in connection with state senatorial elections to be conducted in accordance with Act 257 until Act 257 has been finally precleared pursuant to Section 5 of the Voting Rights Act." 15-6a. The Attorney General in pleadings filed in the District of Columbia court indicated that 15 of the districts contained in Act No. 257, numbers 17, 19, 20, 21, 22, 30, 31, 32, 39, 40, 41, 42, 43, 44 and 45, were objectionable under Section 5. 18a.

without preclearance under Section 5.[4]

Trial on the merits in this case was conducted by the three judge court on July 26, 27 and 30, 1984. The court ruled initially that it had jurisdiction and that it intended to implement a court ordered reapportionment for the senate so that the general elections could be held as scheduled in November, 1984. The parties were given an oppor-

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4. In view of the request by state officials that the South Carolina court implement without preclearance Act No. 257, or a plan incorporating state legislative policies, the United States filed a motion for further injunctive relief in South Carolina v. United States, supra. On July 18, 1984, the District of Columbia court granted the motion and enjoined the state from "any and all efforts to have Act 257 ordered as an interim plan, including recognition of any of the individual districts which are at issue in this litigation and which the Attorney General indicated he had objections to." 18a. The state sought a stay which was denied by this Court on July 20, 1984. South Carolina v. United States, A-37 (July 20, 1984, Justice White).

tunity to present proposed redistricting plans.[5]

On the last day of trial, the court indicated it would hear evidence whether any plan it might adopt violated Section 2 of the Voting Rights Act of 1965, 42 U.S.C. §1973.[6] The court refused, however, to allow Appellants any discovery on the issue of possible Section 2 violations and it refused to grant Appel-

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5. The Republican Party presented a plan; Appellants presented two plans; Appellees Daniels, Dennis and Williams presented a plan; and, Appellee Sheheen presented two plans.

6. Section 2 provides in relevant part: "(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, as provided in subsection (b) of this section."

lants a Section 2 hearing on the specific plan it would actually adopt. Trial Transcript, Monday, July 30, 1984, pp. 33-9.

On July 31, 1984, the court issued an order adopting a plan, without revision and in its entirety, prepared by Appellee Sheheen, the Chairman of the South Carolina House Judiciary Committee.[7] The plan, known as the Sheheen 1.98% plan, contained a total deviation among districts of less than 2% and consisted of all single member districts. The Sheheen 1.98% plan was a revision of the plan proposed by Appellees Daniel, Dennis and Williams designed to reduce the population variance

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7. Appellee Sheheen was assisted in preparing the plan by counsel for the South Carolina House Judiciary Committee and the state's chief reapportionment demographer.

among districts to a de minimus level and incorporated "the basic state policy considerations for reapportioning the South Carolina Senate." 23a.[8]

As Appellee Sheheen conceded, the 1.98% plan did not address or attempt to cure any of the objections of the Attorney General to the 15 disputed districts contained in Act No. 257. Trial Transcript, Friday, July 27, 1984, pp. 196-97.

In its July 31, 1984 order, the three judge court ruled that the Sheheen 1.98% plan was not a legislative but was a court ordered plan exempt from the preclearance requirements of Section

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8. A major state policy consideration was protection of incumbents - all but one of whom are white. This was accomplished by minimizing the number of senators placed in the same districts and by maintaining "existing constituent consistency." 37-8a.

5. 35-6a.[9]

Appellants filed their notice of appeal on August 3, 1984, and sought an injunction pending appeal, which was denied. Appellants then filed an application for an injunction pending appeal from this Court "against further use of the court ordered reapportionment for the South Carolina Senate implemented by the lower court in its July 31, 1984 order absent preclearance under Section 5." NAACP v. South Carolina, A-86.

On August 9, 1984, the South Carolina General Assembly enacted a second senate reapportionment (R. 626 of 1984)

9. Although the order is somewhat cryptic on the point, the court apparently believed that McDaniel v. Sanchez, 452 U.S. 130 (1981), which held that court ordered plans reflecting legislative policy choices are subject to Section 5 preclearance, was not applicable to "interim" as opposed to "permanent" court ordered plans.

which was submitted to and precleared by the Attorney General pursuant to Section 5 on August 10, 1984. The state then moved the three judge court to vacate so much of its July 31st order as provided for the scheduling and holding of elections for the Senate under the court's reapportionment plan.[10]

On August 13, 1984, the three judge court vacated so much - but only so much - of its July 31, 1984 order as "directed the implementation of the 'Sheheen 1.98% Plan' for interim senatorial elections in South Carolina, on the schedule as fixed therein..., so

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10. The state was of the opinion that if the motion was granted, "it will moot this [Appellants'] appeal and petition [for a stay pending appeal]," since Appellants would have the relief they seek from the Supreme Court, i.e. "no elections will be held under the Sheheen 1.98% plan adopted by the Court." Memorandum in Support of Motion to Amend Order in Part and Vacate in Part, p. 6.

as to allow the State of South Carolina to proceed to forthwith implement the legislatively adopted and precleared reapportionment plan." 56a. The court also adopted a time table for elections calling for the primaries to be held on October 2, 1984.[11]

Following entry of the August 13th order, Appellants moved this Court for permission to withdraw on mootness grounds their application for an injunction pending appeal in view of the fact that the unprecleared Sheheen 1.98% plan, whose use Appellants sought to enjoin, had been vacated. Permission to withdraw was granted.

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11. Appellants filed a second notice of appeal from so much of the August 13, 1984 order as adopted a time table for elections. The issues involved in that appeal, however, are not involved in this appeal and are not before this Court.

THE QUESTIONS PRESENTED ARE SUBSTANTIAL

Appellants seek an order from this Court noting probable jurisdiction, vacating the July 31, 1984 order of the three judge court and remanding with directions to dismiss such order in its entirety as moot.

Appellants appealed the July 31, 1984 order of the three judge court because it ordered into effect without preclearance under Section 5 of the Voting Rights Act a reapportionment plan for the South Carolina Senate (the Sheheen 1.98% plan), despite the fact that the plan admittedly incorporated the policy choices of the state legislature. The three judge court's ruling flatly violated McDaniel v. Sanchez, 452 U.S. 130, 153 (1981), which held that Section 5 "requires that whenever a covered

jurisdiction submits a proposal reflecting the policy choices of the elected representatives of the people - no matter what constraints have limited the choices available to them - the preclearance requirement of the Voting rights Act is applicable."

Once the Sheheen plan was vacated by the order of the three judge court on August 13, 1984, however, Appellants' appeal became moot.[12] DeFunis v. Odegaard, 416 U.S. 312 (1974)(an appeal becomes moot when intervening acts destroy the interest of a party to the adjudication, thereby depriving the

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12. The state concedes as much. See supra, p.12, n.10. Also see letter from Rex. E. Lee, Solicitor General, to Alexander L. Stevas, Clerk of Court, August 14, 1984, expressing the opinion of the United States that the application for a stay of the July 31, 1984 order of the three judge court in NAACP v. South Carolina, No. A-86, "is moot and should be dismissed."

federal court of jurisdiction under U.S. Const., Art. III.).

Where an appeal has become moot, the standard federal practice is to vacate and remand with instructions to dismiss. United States v. Munsingwear, 340 U.S. 36, 39 n.2 (1950); Iron Arrow Honor Society v. Heckler, ___U.S.___, 104 S. Ct. 373, 374 (1983); Chicago Board Options Exchange, Inc. v. Board of Trade, ___U.S.___, 103 S. Ct. 434 (1982); Tulare Lake Canal Co. v. United States, ___U.S.___, 103 S. Ct. 713

(1983).[13] Such a procedure prevents a decision, unreviewable under Art. III because of mootness, from "spawning any legal consequences." United States v. Munsingwear, supra, 340 U.S. at 41.

Appellants' concern with the legal consequences of the unvacated, unreviewed portions of the lower court's order is not merely technical or inconsequential. Although the trial court apparently contemplated that it would vacate its July 31, 1984 order in its entirety in the event the legis-

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13. This is not a case involving an exception to the rule where the complained of activity is reasonably capable of repetition since the legislature has enacted, precleared and implemented a permanent reapportionment of the state senate. Cf. United States v. W. T. Grant Company, 345 U.S. 629, 663 (1953). In addition, the issue whether or not the new apportionment is constitutional or violates Section 2 of the Voting Rights Act has not been presented to any court and is not involved in this appeal or this litigation.

lature enacted and precleared a permanent senate reapportionment plan,[14] the state requested the court to vacate only that portion of the order "which provides for the scheduling and holding of elections for the Senate of South Carolina under the Court's reapportionment plan." Motion to Amend Order in Part and Vacate in Part, p.1.

Since the district court granted the state's motion and vacated only part of its July 31, 1984 order, portions of the order remain and are capable of giving rise to important legal consequences, i.e. that an interim court

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14. The district court provided, for example, that in the event the state legislature passed and precleared a senatorial reapportionment plan by August 13, 1984, "any party to this litigation shall have leave to apply to this court for such relief as may be indicated, to include the vacating of this order." 51a-52a.

ordered reapportionment which incorporates legislative policy choices is not subject to Section 5 review; that such reapportionment need not address and cure the objections of the Attorney General to any prior legislative plan, Upham v. Seamon, 456 U.S. 37, 43 (1982) (in fashioning an interim reapportionment plan a court is obligated to "cure any constitutional or statutory defect."); and, that a court is not required to conduct a Section 2 hearing on the specific plan it adopts. Winter v. Brooks, ___U.S.___, 103 S. Ct. 2077 (1983).

CONCLUSION

This appeal, which presented substantial issues concerning the unprecleared court ordered reapportionment of the South Carolina Senate, has been

mooted by reason of the enactment and preclearance of a permanent legislative plan. As a consequence, the opportunity of this Court to review these issues has been removed. For this reason, probable jurisdiction should be noted and the opinion below should be vacated and remanded to the district court with directions to dismiss as moot.

Respectfully submitted,

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

COLUMBIA DIVISION

Dr. George G. Graham, as Chairman of The Republican Party of South Carolina, H. Sam Stilwell, and W. Richard Lee, individually and as representative of a class of persons who seek to vote and hold the office of State Senator in the State of South Carolina,	)	Filed July 31, 1984
Plaintiffs,	)	
and,	)	CIVIL ACTION NO. 3:84-1430-15
The National Association for the Advancement of Colored People, Inc., through its South Carolina State Conference of Branches, and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers, and S. T. Peden,	)	ORDER
Plaintiff-Intervenors,	)	

vs.

The State of South Carolina, Ex. Rel. Michael Roland Daniel, Lieutenant Governor of the State of South Carolina and as President and Presiding Officer of the Senate, Rembert Dennis, President Pro Tempore of the Senate, Marshall Williams, Chairman of the Senate Judiciary Committee, Raymon Schwartz, Jr., Speaker of the House, Robert J. Sheheen, Chairman of the House Judiciary committee, and James B. Ellisor, Executive Director of the South Carolina Election Commission,

Defendants,

and,

Joe Wilder,

Defendant-Intervenor.

STATEMENT OF THE CASE

On June 13, 1984, the "Plaintiffs," Dr. George Graham, Chairman of the Republican Party of South Carolina, and H. Sam Stilwell and W. Richard Lee, individually and as representatives of a class of citizens who seek to vote and hold the office of state senator in the South Carolina Senate, filed this action alleging that the South Carolina General Assembly had enacted a redistricting plan for the South Carolina Senate, which plan constituted a change in voting procedure subject to the preclearance requirements of Section 5 of the Voting Rights Act of 1965, as amended [42 U.S.C. 1973c], and that a trial before the United States District Court for the District of Columbia to determine whether preclearance should be granted was scheduled for October 22,

1984. Plaintiffs further alleged that due to the proximity of the trial date to the scheduled general election on November 6, 1984, no elections for South Carolina State Senate will be held in 1984 and the present incumbents will continue in office in violation of the one man, one vote principles of the United States Constitution. Named as defendants were the Governor of the State of South Carolina, Richard W. Riley, Michael Roland Daniel, Lieutenant Governor of the State of South Carolina and as President and Presiding Officer of the Senate, Rembert Dennis, President Pro Tempore of the Senate, Marshall Williams, Chairman of the Senate Judiciary Committee, Raymon Schwartz, Jr., Speaker of the House, Robert J. Sheheen, Chairman of the House Judiciary Committee and James B. Ellisor, Executive

Director of the South Carolina Election Commission. The Plaintiffs ask that the Court fashion senatorial districts for the State of South Carolina that are not in violation of the law and provide an election schedule for the nomination of senatorial candidates so that the candidates may be placed on the ballot for the general election to be held on November 6, 1984.

On June 14, 1984, an amended summons was served upon the defendants. All defendants answered on or before July 5, 1984, and, subject to certain jurisdictional challenges, requested that interim elections for the South Carolina Senate be ordered.[1] By consent

1. Defendants Daniel, Dennis and Williams asserted that this three-judge Court lacked subject matter jurisdiction, and these defendants, joined by defendants Schwartz and Ellisor, asserted that the south Carolina Democratic

order entered on July 16, 1984, defendant Riley was dismissed from this suit. On July 11, 1984 Joe Wilder moved to intervene as a party defendant. On July 12, 1984, The National Association for the Advancement of Colored People, Inc., through its South Carolina State Conference of Branches and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers and S. T. Peden moved to intervene as parties-plaintiffs (hereinafter

party was an indispensable party to this litigation in that it conducts primary elections in South Carolina. There are four political parties certified to the Secretary of State in South Carolina, but inasmuch as political parties in South Carolina are mere instrumentalities of the State of South Carolina for conducting primary elections pursuant to State law, none are considered indispensable parties to this litigation. Rule 19, Fed.R.Civ.Proc.

"NAACP Plaintiffs-Intervenors"). Without objection, by order entered July 18, 1984, both petitions to intervene were granted and both were directed to comply with the briefing schedule as previously fixed by the court in its letter of July 3, 1984.

This case was tried on July 26, 27 and 30, 1984, in Columbia, South Carolina, before this three-judge court.

JURISDICTION

This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1343 and 2284, 42 U.S.C. §1983, and the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973 et seq. As required by 42 U.S.C. §1973c, a three-judge court has been properly convened pursuant to 28 U.S.C. §2284.

PROCEDURAL BACKGROUND

Effective for the 1972 elections, the State of South Carolina was divided into 16 mostly multimember senatorial districts from which 46 state senators were to be elected. Act 1205, Acts and Joint Resolutions of South Carolina, 1972. While no county lines were cut by Act 1205, 13 of the 16 districts were multimember, with each district having between two and five numbered seats. There were three districts containing only one senate seat. The 46 current members of the South Carolina Senate were elected and are incumbent office holders pursuant to Act 1205, which, according to the 1970 census, has a total variance between districts of 9.93%. Act 1205 was submitted to the Attorney General of the United States for preclearance pursuant to the Voting

Rights Act of 1965, and no objection thereto having been noticed within 60 days, thereby became legally enforceable under Section 5.[2] 42 U.S.C. §1973c. Morris v. Gressette, 432 U.S. 491 (1977).

State Senators are elected for four-year terms in South Carolina, and pursuant to Article III, Section 10 of the Constitution of South Carolina, the terms of office of the members of the Senate begin on Monday following the general election in which they are elected. For this election year 1984, assuming that general elections are held on schedule on November 6, 1984, the terms of all 46 incumbent senators will expire on Monday, November 12, 1984.

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2. There is no dispute that South Carolina is a covered jurisdiction under the Voting Rights Act. 28 C.F.R. §51.4; Appendix.

Without 1984 senatorial elections, all 46 incumbent senators will continue in office until their respective successors are duly elected and qualified, even though the districts from which they are elected are badly malapportioned.

According to the 1980 official census, South Carolina has a total population of 3,121,820, of which 948,623 or 30.38685% are black. Based on this 1980 census, Act 1205 has a total variance of 54.33%, and it is undisputed that the 16 multimember senatorial districts established by Act 1205 are impermissibly malapportioned and future senatorial elections under Act 1205 would most assuredly violate the one man, one vote principle of the Equal Protection Clause of the Fourteenth Amendment. Reynolds v. Sims, 377 U.S. 533, 84 S.Ct. 1362, 12 L.Ed.2d 506 (1964); Terrazas v. Clem-

ents, 537 F.Supp. 514 (N.D. Tex. 1982).

In recognition of this disparity, the South Carolina General Assembly in November 1983[3] passed Act 257 for purposes of apportioning the State into 46 single member senatorial districts. Based on South Carolina's total population of 3,121,820, the ideal single member district under such a plan providing for 46 senatorial districts would contain a population of 67,866 persons, with variance from the mean of 67,866 expressed in percentage points representing 678 for each point plus or minus 678 persons.

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3. It has never been made clear to this court why it took the South Carolina General Assembly (House and Senate) until November 1983 to pass such legislation when the 1980 census figures were available in the spring of 1981. Had a more reasonably expeditious course of action been followed, the necessity for the present litigation could in all probability have been avoided.

As a covered jurisdiction under the Voting Rights Act, the State of South Carolina chose to file suit in the District Court for the District of Columbia, 42 U.S.C. §1973c, in order to obtain preclearance for the implementation of Act 257, State of South Carolina v. United States of America, et al., Civil Action No. 83-3626, in the District Court for the District of Columbia (hereinafter "C/A 83-3626, D.C. D.C."). Asserting that Act 257 provided for reapportionment of the South Carolina Senate in order to conform to the one man, one vote requirement of Reynolds v. Sims, supra, on December 6, 1983, the State of South Carolina filed its Section 5, 42 U.S.C. Section 1973c, declaratory judgment action (C/A 83-3626, D.C. D.C.) seeking preclearance of the Senate reapportionment plan encom-

passed within Act 257. Pursuant to its petition, the NAACP and certain named individuals were granted leave to intervene by order of January 24, 1984. In preliminary considerations, the District Court for the District of Columbia indicated its judicial intentions "to do everything possible to enable the [primary] election to occur on Schedule" at June 12, 1984. Tr. at p. 27, Status Conference, January 24, 1984. (See Section 7-13-40, S.C. Code, Ann., 1976, as amended).

In order to provide party candidates ample time to campaign after the anticipated prompt preclearance of Act 257, the South Carolina General Assembly passed legislation providing for a delay of Senate primaries only until July 24, 1984, which legislation was approved by the Governor on March 8, 1984 (R. 321).

This legislation was submitted to the Attorney General for preclearance, and on March 20, 1984, the Attorney General interposed an objection to this (R. 321) legislation, including the postponement of the Senate primaries to July 24, 1984.[4] While awaiting the preclearance of Act 257 in C/A 83-3626, D.C.D.C., the State of South Carolina proceeded to open the Senate candidate qualification process between March 16 and March 30, 1984, requiring political parties intending to hold primaries to accept candidacy notices (filings) for the State Senate, the electoral districts in which the candidates would stand for election being defined by Act 257's

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4. While R. 321 was submitted to the Attorney General for preclearance, 42 U.S.C. §1973c, it is noted that preclearance of Act 257 was sought through the declaratory judgment action filed in November 1983. (C/A 83-3626, D.C.D.C.).

redistricting plan. Challenging this as "an implementation of Act 257" without preclearance, the United States and the NAACP, on respective motions, obtained an injunction from the District Court for the District of Columbia on April 26, 1984, providing:

> That the candidate qualification filings heretofore required and permitted by the State of South Carolina between March 16 - 30, 1984, and the act of its general assembly postponing the state senatorial primary elections from June 12, 1984, to July 24, 1984, are declared null, void, and of no effect,and the State of South Carolina, its officers, agents, servants, employees, and attorneys, and all others in active concert or participation with it, are ordered and directed to accord them no legal force and effect until, unless, and except as may hereafter be otherwise determined by this Court; and it is
>
> FURTHER ORDERED, ADJUDGED, and DECREED, that the State of South Carolina, its officers, agents, servants, employees, and attorneys, and all others in active concert or participation with it, shall neither require nor permit any other or further action on

their part to be taken in connection with state senatorial elections to be conducted in accordance with Act 257 until Act 257 has been finally precleared pursuant to Section 5 of the Voting Rights Act.[5]

A hearing on the merits in C/A 83-3626 D.C.D.C. has been delayed until October 22, 1984, thereby eliminating the possibility for senatorial elections in South Carolina in 1984. In light of this circumstance, the Plaintiffs filed this action on June 13, 1984. Prior to the time for answering having expired, this court set a briefing schedule (which was subsequently extended to the intervenors) and invited all parties to submit proposed interim plans for the court's consideration. In their answer, defendants Daniel, Dennis and Williams,

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5. Memorandum and Order; and Order, April 26, 1984, C/A 83-3626, D.C.D.C.

while objecting to subject matter jurisdiction in this court and praying for a denial of Plaintiffs' requested relief, in the alternative prayed that this court "enter an order providing interim elections for the South Carolina Senate pursuant to Act 257 of 1983 or a plan incorporating the legislative apportionment policies of the South Carolina General Assembly." Apprehensive[6] that

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6. In its motion for further injunctive relief in C/A 83-3626 D.C.D.C., the United States says that it suspects the litigation before this court is not not altogether adversary. "It [U.S. Justice Department] foresees such an 'interim' plan becoming a fait accompli by a decree in South Carolina which would govern this [1984] year's quadrennial state senatorial elections and, thus, determine the composition of the State's Senate for the next four years, rendering any decision by this court [D.C.D.C.], following trial in October [1984], of academic interest only until 1988." P. 4, Memorandum and Order filed July 18, 1984, C/A 83-3626 D.C.D.C. After three days of trial, this court has no hesitancy in certifying that this is and was an adversay proceeding.

such alternative relief prayed for by these defendants was at attempted "end run" around the Section 5 preclearance requirements of the Voting Rights Act, the United States in C/A 83-3626, D.C.D.C., sought and obtained further injunctive relief as follows:

> 1. The State of South Carolina, its officers, agents, servants, employees, and attorneys and all others in active concert or participation with it, shall cease and refrain from any and all efforts to have Act 257 ordered as an interim plan, including recognition of any of the individual districts which are at issue in this litigation, namely, districts 17, 19, 20, 21, 22, 30, 31, 32, 39, 40, 41, 42, 43, 44, and 45.
>
> 2. The State of South Carolina, its officers, agents, servants, employees, and attorneys and all others in active concert or participation with it are enjoined from conducting elections pursuant to an election plan which contains any of the disputed districts in this litigation unless and until those districts have been precleared pursuant to the requirements of Section 5, 42 U.S.C. §1973c.

3. Counsel for the State of South Carolina shall provide a copy of this Order to the court in the Graham case.[7]

In response to this court's invitation for interested parties to submit proposed interim plans, the Plaintiffs submitted a plan containing a total variance of 9.98%, the NAACP Plaintiffs-Intervenors submitted a plan containing a total variance of 9.97%; the defendant Sheheen, in his official capacity submitted a plan containing a total variance of 3.89%; and the defendants Daniel, Dennis and Williams, adhering to the restraints imposed by the orders[8] in C/A 83-3626, D.C.D.C., submitted a new plan different from Act 257 and contain-

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7. Memorandum and Order; and Order, filed July 16, 1984, C/A 83-3626, D.C.D.C.

8. Notes 5, 6 and 7 supra.

ing a total variance fo 3.90%.[9] The defendants Schwartz, Ellisor and Wilder, while admitting that it will be beneficial to the citizens of South Carolina for senatorial elections to be held in 1984, offered no plan for the court's consideration, the defendant Wilder simply urging this court to adopt an interim plan which maintains the "rural integrity" of his resident district 39, as it is proposed in Act 257. In summary of their respective positions, the Plantiffs and defendants Sheheen and Wilder urge the court to fashion an interim plan in time for senatorial elections in 1984; the NAACP Plaintiffs-Intervenors and the defendants Daniel,

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9. This Sheheen plan was a minor revision of the plan offered by defendants Daniel, Dennis and Williams with modifications only to proposed senatorial districts 14, 15, 17, and 18.

Dennis and Williams oppose this court fashioning an interim plan, but as an alternative offer their respective plans for this court's consideration; and the defendants Schwartz and Ellisor take no position on the issue of whether or not this court should fashion an interim plan.

During the second day of testimony before this court, defendant Sheheen, in addressing the plan he proposed in response to this court's invitation, testified that this plan, containing a total variance of 3.89%, as one which represents an application of the policies more consonant with the intent of the South Carolina House. Having been sued in his official capacity as Chairman of the [South Carolina] House Judiciary Committee, the defendant Sheheen testified he was constrained to offer

such a plan in response to this court's invitation to submit a proposed plan. In further response to this court's inquiry for achieving "the goal of population equality with little more than de minimis variation" between senatorial districts,[10] defendant Sheheen offered as an alternative to the 3.89% plan a plan which he developed in his individual capacity without having been subjected to legislative consideration by either the House or Senate of the South Carolina General Assembly. This alternate plan proposed by defendant Sheheen is a major revision of the plan proposed by defendants Daniel, Dennis and Williams, and has the desired effect of

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10. See Chapman v. Meier, 420 U.S. 1, 27 95 S.Ct. 751, 766, 42 L.Ed.2d 766 (1975), and McDaniel v. Sanchez, 452 U.S. 130, 138, 101 S.Ct. 2224, 2230, 68 L.Ed.2d 724 (1981).

reducing the total population variance between districts from 3.90% to 1.98%, without violating the basic state policy considerations for reapportioning the South Carolina Senate.[11] The court was impressed with Mr. Sheheen's unique knowledge and expertise in the area of reapportionment and demographic makeup of South Carolina. He had successfully guided the House reapportionment through the General Assembly and had presented the Congressional reapportionment plan adopted by the three-judge court in NAACP v. Riley, 533 F.Supp. 1178 (D.S.C. 1982). Furthermore, in presenting his 1.98% individual plan as an alternative

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11. The Supreme Court has stated that district courts redrawing state legislative districts must defer to state policy "whenever adherence to state policy does not detract from the requirements of the Federal Constitution . . ." White v. Weiser, 412 U.S. 783, 795 (1973).

to the 3.89% plan, which represented the general consensus of the House, Mr. Sheheen, has no personal interest to further in this litigation since he has been nominated (Democratic) without any opposition for reelection to his current House seat.

After all plans had been submitted and explained, the court recessed for the weekend and advised the parties that it would hear objections to any plan on Monday, and that if the parties desired, they could submit amended plans on July 30th. The NAACP submitted its revision of the alternate Sheheen plan. This amended plan had a total variance of 1.99%, but it cut many more county lines than any other proposal and some counties were partitioned among as many as six senatorial districts. There was one additional majority black district in

the plan, but the black percentages in the other district were not substantially changed.

To paraphase the thoughts of another federal court[12] which found itself faced with a task very similar to the one before this court, we look forward to the day when the South Carolina General Assembly will again take up its mantle of responsibility and thereby relieve the United States District Courts of the necessity of intervening in their affairs. Until that day arrives, the responsibility for this intervention must rest with those who through their ineptitude and public disservice have forced it. That this litigation is the consequence of inaction by the South Carolina General As-

12. Dent v. Duncan, 360 F.2d 333 (5th Cir. 1966).

sembly is readily apparent when considering that the 1980 official census figures were available in the spring of 1981, yet it was not until November 1983 that Act 257 was adopted for reapportioning the State Senate, even in the face of a badly malapportioned (variance of 54.33%) Senate as then (1981-1983) and now constituted. For this court to speculate on the reasons for such inaction would serve no useful purpose. What is significant for this court's consideration is the effect of delaying State Senate elections beyond this election year 1984 in which quadrennial senatorial elections would normally be held. If this court does not act to fashion an interim plan and order senatorial elections in this 1984 year, it is quite obvious that no such elections will take place. The trial in C/A 83-

3626, D.C.D.C., is set for October 22, 1984, the next time all three judges of that court could sit together for an extended period of time. Even if that court should promptly grant preclearance to Act 257 under the Voting Rights Act, a premise which is far from certain, time would not permit senatorial elections in this year. Thus, unless this court exercises its discretion and orders an interim plan for elections for the South Carolina Senate and an accompanying election schedule, there will be no elections for the Senate in 1984. This court is of the opinion that Senate elections should be held unless the court is prohibited by law or reason from ordering an election plan and schedule. Clearly, there is no legal prohibition since it is within this court's discretion to order interim

elections for the Senate in 1984.

The discussion must now turn to the reasonability of holding elections in 1984. First, an examination will be made of some possible results if this court does not order elections. The resolution of C/A 83-3626, D.C.D.C., will occur at the trial scheduled to begin on October 22, 1984. Whether the District of Columbia Court preclears Act 257 or not, no elections could be held as early as February of 1985. There are, however, a number of disadvantages to holding elections then. They include lower voter turnout than at a general election, added expense to the State and the political parties, disruption of the General Assembly and holding primaries during the Thanksgiving-Christmas holiday season.

If the plan is not precleared, more

problems arise. This court is of the considered opinion that the District of Columbia Court has no authority beyond the decision to preclear or not. Allen v. State Board of Elections, 393 U.S. 544 (1969). They cannot order a plan into place. Therefore a decision not to preclear Act 257 would leave South Carolina with no Senate elections in 1984 and no remedy to the problem of Senate reapportionment in progress. It is important that elections for the Senate be held in 1984 and adoption of a plan and ordering of elections by this court is the only vehicle available to reach this goal.

Other problems will arise which will cause confusion and added expense if no plan is ordered. Either the terms of the members of the Senate come to an end in November and one of the three

branches of South Carolina's government is rendered ineffective; or the members of the Senate holdover and the one man, one vote requirement of the Federal Constitution is violated. In Terrazas v. Clements, 537 F.Supp. 514 (N.D. Tex. 1982), a three-judge court recognized the latter problem as justification for ordering an interim election plan. "If the . . . primaries are not, there will continue in office Senators and Representatives from many districts that . . . have become severely malapportioned under the one person, one vote principle of Reynolds v. Sims and its progency." Terrazas, supra, at 527.

Of further concern in this matter is the consequence of an appeal following the decision by the three-judge court in C/A 83-3626, D.C.D.C. The delays associated with any such appeal

could result in a constitutionally malapportioned Senate in South Carolina for several more, if not many more, years.

Also, Section 6 of Article III of the South Caorlina Constitution requires that Senators be elected every four years.

From the foregoing discussion one can see that nothing positive will come from a decision by this court not to exercise its discretion and order an interim plan for Senate elections. In fact, the least disruptive scenario, Senators holding over in constitutionally malapportioned districts, is the most offensive from a legal standpoint. Terrazas, supra. If, however, the court orders elections, a great deal of confusion and expense can be avoided.

Clothed with the discretionary power and authority to fashion an inter-

im plan and fix a schedule for senatorial elections this year, and with the necessity for the exercise of such discretion so pervasive and clear, this court will not shirk its responsibility, as unwelcomed an obligation as it is, but instead will proceed to fashion an interim plan and other senatorial elections this year.

LEGAL ISSUES

This court appreciates, and indeed the parties are in agreement, that legislative reapportionment is primarily the duty and responsibility of the South Carolina General Assembly, rather than this federal court. Reynolds v. Sims, 377 U.S. 533, 587, 84, S.Ct. 1362, 12 L.Ed.2d 506 (1964); Chapman v. Meier, 420 U.S. 1, 27, 95 S.Ct. 751, 766, 42 L.Ed.2d.766, (1975). While reapportion-

ment is a legislative task which the federal courts should make every effort not to preempt, judicial relief in the form of a court-ordered interim plan becomes appropriate when a legislature fails to reapportion itself in accordance with federal constitutional requisites in a timely manner after having been afforded a reasonable opportunity to do so. Wise v. Lipscomb, 437 U.S. at 540, 98 S.Ct. at 2497; Connor v. Finch, 431 U.S. at 415, 97 S.Ct. at 1834; Reynolds v. Sims, 377 U.S. at 586, 84 S.Ct. at 1394.

The State of South Carolina is precluded by Section 5 of the Voting rights Act, 42 U.S.C. §1973c, and the injunctions issued in C/A 83-3626, D.C.D.C.,[13] from implementing Act 257 so

13. See Notes 5, 6 and 7, supra.

long as it remains unprecleared.[14] See Allen v. State Board of Education, 393 U.S. 544, 89 S.Ct. 817, 22 L.Ed.2d 1 (1969); Connor v. Waller, 421 U.S. 656, 95 S.Ct. 2003, 44 L.Ed.2d 486 (1975). With a total variance of just under 10%, we reach the independent determination that it would not be appropriate for this court to adopt Act 257 as an interim plan since we have another plan more nearly achieving de minimis popula-

14. The fact that the Department of Justice may not have technically entered objections to Act 257, inasmuch as Act 257 was not submitted to the Attorney General for preclearance, is not relevant to this court's decision. Upham v. Seamon, 456 U.S. 37, 102 S.Ct. 1518 (1982), reh'g denied, 456 U.S. 938, 102 S.Ct. 2001 (1982). As a practical matter it would be judicially impossible to fashion an interim plan conforming to the de minimis variation requirements of Chapman v. Meier, 420 U.S. 1, 27, 95, S.Ct. 751, 766, 42 L.Ed.2d 766, were this court to accept as a part of its interim plan the 31 proposed districts (Act 257) not "objected" to by the United States in C/A 83-3626, D.C.D.C.

tion variances which will allow us to order temporary reapportionment of the State's senatorial districts while adequately reconciling state political policy with federal statutory and constitutional standards. In rejecting Act 257, the court further rejects the argument of the NAACP Plaintiffs-Intervenors that any interim plan fashioned by this court, i.e., a judicial plan as opposed to a legislative plan, which takes into consideration the State's political policies must be precleared under Section 5 of the Voting Rights Act, 42 U.S.C. §1973c. To the extend that McDaniel v. Sanchez, 452 U.S. 130, 101 S.Ct. 2224, 68 L.Ed.2d 724 (1981), is relied on by NAACP Plaintiffs-Intervenors, such reliance is misplaced in the context of this case. If NAACP Plaintiffs-Intervenors position were legally

correct, there would be no practical way for federal courts to ever adopt interim reapportionment plans considering the restraints of time which are always present in this type litigation. Jordan v. Winter, 541 F.Supp. 1135, 1141 (N.D. Miss. 1982). "We do not believe Congress intended our discretion to be so limited." Terrazas v. Clements, 537 F.Supp. 514, 540 (N.D. Tex. 1982). Indeed, the Supreme Court has made it clear that in fashioning an interim reapportionment plan a district court must adhere to the state's political policies except to the extent such policies are violative of either the Constitution or the Voting Rights Act. Upham v. Seamon, 456 U.S. 37, 102 S.Ct. 1518 (1982), reh'g denied, 456 U.S. 938, 102 S.Ct. 2001 (1982). By giving due deference to such state political policies, a

judicial plan fashioned in such manner is not transformed into a legislative plan subject to preclearance under the Voting Rights Act. Indeed, a district court errs if it brushes aside state apportionment policy without solid constitutional or equitable grounds for doing so. White v. Weiser, 412 U.S. 783, 796, 93 S.Ct. 2348, 2355, 37 L.Ed.2d 335 (1973); Whitcomb v. Chavis, 403 U.S. at 161, 91 S.Ct. at 1878 (1971); Connor v. Finch, 431 U.S. 407, 414, 97 S.Ct. 1828, 1833, 52 L.Ed.2d 465 (1977). As adduced at trial, the State's primary political policies reflected in the passage of Act 257, and in the offering of the Dennis, Daniel and Williams (3.90% variance) plan for this court's consideration, may be summarized as follows: (1) adherence to the one man, one vote requirement; (2)

creation of 46 single member districts; (3) the creation of nine majority black districts, that is senatorial districts in which the resident black population is in excess of 50%; (4) compliance with the anti-discrimination provision of the Fourteenth and Fifteenth Amendments to the Constitution and the Voting Rights Act; (5) maintenance of county (46) lines inviolate wherever possible; (6) maintaining existing constituent consistency; and (7) avoiding placing incumbent Senators in the same senatorial districts as reapportioned wherever possible.

While this court does not have jurisdiction to determine if a plan (interim or permanent) complies from a substantive standpoint with Section 5 of the Voting Rights Act, 42 U.S.C. §1973c, Perkins v. Matthews, 400 U.S. 379, 91

S.Ct. 431, 27 L.Ed.2d 476 (1971), we are required in fashioning this interim plan to follow the appropriate Section 5 standards, including the body of administrative and judicial precedents developed in Section 5 cases. McDaniel v. Sanchez, 452 U.S. 130, 147, 101 S.Ct. 2224, 2235, 68 L.Ed.2d 724, 739 (1981). In other words, this court must attempt to devise a plan that has neither a racially discriminatory purpose nor such an effect. Beer v. United States, 425 U.S. 130, 96 S.Ct. 1357, 47 L.Ed. 2d 629 (1976); Perkins v. Matthews, 400 U.S. at 385, 91 S.Ct. at 435. While the absence of a discriminatory purpose or effect is essential, neither the Constitution nor the Voting Rights Act requires proportional representation. City of Mobile v. Bolden, 446 U.S. 55, 100 S.Ct. 1490, 64 L.Ed.2d 47 (1980; White v. Regester,

412 U.S. 755, 93 S.Ct. 2332, 37 L.Ed.2d 314 (1973). What is constitutionally required is that the State, and this court in fashioning its interim plan, deal fairly with the black citizens by avoiding any plan which has the purpose or effect of unnecessarily minimizing or fragmenting black voting strength. "No State or political subdivision is required to search for ways to maximize the number of black voting age population districts. Likewise, no racial group has a constitutional or statutory right to an apportionment structure designed to maximize its political strength." State of Mississippi v. United States, 490 F.Supp. 569, 582 (D.D.C. 1979) (three-judge court), aff'd mem., 444 U.S. 1050, 100 S.Ct. 994, 62 L.Ed.2d 739 (1980). What is mandated is that all citizens have an equal opportu-

nity to participate in a State's political processes.

In applying the above principles and in recognition that "unless there are persuasive justifications, a court-ordered reapportionment plan of a state legislature must avoid use of multimember districts, and, as well, must ordinarily achieve the goal of population equality with little more than de minimis variation." Chapman v. Meier, 420 U.S. at 26-27, 95 S.Ct. at 765-66, this court in the exercise of its discretion does adopt as an interim redistricting plan the 1.98% alternate plan proposed by Mr. Sheheen in his individual capacity and at the invitation of this court (The "Sheheen 1.98% Plan"). This plan is in keeping with the state policies for senate reapportionment and meets the test of the constitutional and statutory

requirements discussed above.

Since we are concerned only with an interim plan to reapportion the South Carolina Senate, there is a question as to whether an analysis under §2 of the Voting Rights Act, 42 U.S.C. §1973[15] is

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15. §1973. Denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation

(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, as provided in subsection (b) of this section.

(b) A violation of subsection (a) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) of this section in that its member have less opportunity than

required. The 1982 amendment to the Act creates a "totality of circumstances" test to insure that the political processes leading to nomination or election in a state or a political subdivision is equally open to participation by members of a protected class (in this case black citizens) and that they have an equal opportunity with other members of the electorate to participate in the process and elect representatives of their choice.

We can take judicial notice that only in recent years has the political

other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

process in South Carolina been open to effective black participation. Until the early 1960s South Carolina was a one-party state and nomination in the Democratic Primary was tantamount to election, because there was no effective Repulican opposition. The Democratic Primary process was closed to blacks until Elmore v. Rice, 72 F.Supp. 516 (E.D. S.C. 1947) aff'd, 165 F.2d 387 (4th Cir. 1947) decided that the Democratic party could not be operated as a club, which could exclude black members, and that the Democratic Primary must be opened to allow participation by all qualified citizens regardless of race.

As late as 1963 South Carolina had in effect an anti-single shot voting law. See Boineau v. Thornton, 253 F.Supp. 175 (E.D. S.C. 1964).

All of these restrictions have been

ended and the political processes leading to the nomination and election to public office are equally open to minority races and minority parties. The South Carolina delegates to the recent Democratic National Convention were fifty percent female and forty-four percent black.

The court has considered all of the interim plans submitted and there was no contention by any of the parties that under any of the proposals there was not equal access to the nominating and election process. In each plan single member districts were used in place of the prior multi-member districts. Each plan contained at least nine districts with a majority black population. None of the parties or witnesses could agree upon a definition of a "black electable district" and what percent of a district

must be black voters to make it a "safe black district." Apparently such definitions are impossible because the attraction of various candidates and their appeal to individual voters cannot be factored into the formula.

Admitted into evidence is the report of the South Carolina Election Commission which clearly shows equality of participation by black citizens in South Carolina in the processes for nomination and election of candidates. This report demonstrates that the statewide average of black voting age population registered to vote exceeds the white percentage (71% black, 70% white). In thirteen counties, the percentage of black voting age population registered is greater than the percentage of white voting age population registered and in three counties the percentage of black

voting age population is identical to that of the percentage of white voting age population registered. In ten counties there are more black registered voters than white registered voters. Also the counties with the lowest percentage of registered voters are in the Piedmont section of the state where the population is predominately white.

In recent months there have been numerous voter registration efforts in South Carolina directed particularly at the registration of black voters in connection with the efforts of the Reverend Jesse Jackson to obtain the Democratic Presidential nomination. These registration drives are still in progress. Political candidates of all parties and for all offices seek and encourage voter support from all races.

The historical discrimination

against black voting in South Carolina does not have a continuing effect on the level of black political participation as measured by voter registration. Voter turn-out records shows similar degrees of participation by blacks.

The 1982 amendment to the Voting Rights Act does not provide that members of a protected class must be elected in numbers equal to their proportion in the population. It provides that the political processes leading to the nomination and election be equally open. The plan adopted by this court provides equal access to the political processes and an excellent opportunity for blacks to be elected in at least nine districts.

The Sheheen 1.98% Plan, as adopted by this court, is attached to and specifically made a part of this order. This temporary plan will remain in ef-

fect until such time as a valid senatorial reapportionment plan is duly adopted by the South Carolina General Assembly, precleared pursuant to the Voting Rights Act, and implemented accordingly.

In order to implemented this interim reapportionment plan and to conduct the November 6, 1984, senatorial election as orderly and timely as possible, the following election schedules as prescribed by the South Carolina Code of Laws 1976, as amended, must be modified as follows:

(a) Section 7-13-40: candidate filings are to commence at 12:01 p.m., August 13, 1984, and close at noon on August 15, 1984.

(b) Section 7-13-40: the primary election is to be held on September 4, 1984.

(c) Section 7-13-50: any run-off election is to be held on September 18, 1984.

(d) Section 7-17-560: any protest

is to be heard not later than noon Monday, September 24, 1984.

(e) Section 7-13-350: certification of candidates is set for October 1, 1984.

(f) Sections 7-15-330 and 7-15-420: absentee ballots may be requested from the county registration board for the county of the voter's residence promptly after the filing cut off date of August 15, 1984, and/or the certification date of October 1, 1984. Completed applications must be returned to the county registration board in person or by mail before 5:00 p.m. on the fourth day preceding the day of the election; provided however, that applications shall be accepted by the county board of registration until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to §7-15-320(4) and (7). Absentee ballots, where possible, shall be mailed to any qualified elector requesting an application in sufficient time to be completed and returned to the county registration board in person or by mail before 5:00 p.m. on the date of the election. All valid absentee ballots which are received in compliance with this directive shall be counted in the election for which submitted.

Additionally, the State Election

Commission is hereby granted authority to print separate ballots for the state senatorial elections should it, in its discretion, so decide.

For the foregoing reasons and based on the cited authorities,

IT IS THEREFORE ORDERED that South Carolina State Senatorial elections be held in 1984 pursuant to the attached reapportionment plan, denominated the "Sheheen 1.98% Plan," and in accordance with the above outlined schedule; provided, however, that if, by noon on Monday, August 13, 1984, the South Carolina General Assembly passes a senatorial reapportionment plan, and has the same precleared pursuant to the Voting Rights Act of 1965, as amended, any party to this litigation shall have leave to apply to this court for such relief as may be indicated, to include

the vacating of this order so as to allow senatorial elections in 1984 to proceed under such legislatively adopted and precleared reapportionment plan.

IT IS SO ORDERED at Columbia, South Carolina, this 31st day of July, 1984.

s/ Robert F. Chapman
ROBERT F. CHAPMAN
UNITED STATES CIRCUIT JUDGE

s/ Falcon B. Hawkins
FALCON B. HAWKINS
UNITED STATES DISTRICT JUDGE

s/ Clyde H. Hamilton
CLYDE H. HAMILTON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

COLUMBIA DIVISION

Dr. George G. Graham, as Chairman of The Republican Party of South Carolina, H. Sam Stilwell, and W. Richard Lee, individually and as representative of a class of persons who seek to vote and hold the office of State Senator in the State of South Carolina,	FILED Aug. 13, 1984
Plaintiffs,	CIVIL ACTION NO. 3:84-1430-15
and,	
The National Association for the Advancement of Colored People, Inc., through its South Carolina State Conference of Branches, and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers, and S. T. Peden,	ORDER
Plaintiff-Intervenors,	

vs.)
)
The State of South)
Carolina, Ex. Rel. Michael)
Roland Daniel, Lieutenant)
Governor of the State of)
South Carolina and as)
President and Presiding)
Officer of the Senate,)
Rembert Dennis, President)
Pro Tempore of the Senate,)
Marshall Williams, Chair-)
man of the Senate Judi-)
ciary Committee, Raymon)
Schwartz, Jr., Speaker of)
the House, Robert J.)
Sheheen, Chairman of the)
House Judiciary committee,)
and James B. Ellisor,)
Executive Director of the)
South Carolina Election)
Commission,)
)
Defendants,)
)
and,)
)
Joe Wilder,)
)
Defendant-Intervenor.)
)

Following the entry of this court's order on July 31, 1984, fashioning a judicial reapportionment plan, the South Carolina General Assembly, on August 8, 1984, adopted, and the Governor of South Carolina, on August 9, 1984, signed into law in South Carolina, a legislative reapportionment plan (R. 626 of 1984) dividing the State of South Carolina into 46-single-member senatorial districts. This legislatively adopted reapportionment plan has received expedited preclearance by the Attorney General of the United States, (Letter of Department of Justice, 10 August 1984, Court's Exhibit #1), 42 U.S.C. §1973c, and is now, with leave of this court, in a posture to be implemented by the State of South Carolina for purposes of holding State Senatorial elections in this 1984 year.

With deference to the well established maxim that legislative reapportionment is primarily the duty and responsibility of state legislatures, rather than the federal courts, Reynolds v. Sims, 377 U.S. 533, 587, 84 S.Ct. 1362, 12 L.Ed.2d 506 (1964); Chapman v. Meier, 420 U.S. 1, 27, 95 S.Ct. 751, 766, 42 L.Ed.2d 766 (1975), this court does hereby vacate so much of its order, filed July 31, 1984, as directed that interim senatorial elections be held in South Carolina in 1984 pursuant to the "Sheheen 1.98% Plan," so as to permit the immediate implementation by the State of South Carolina of the permanent legislatively adopted (R. 626 of 1984) and precleared, 42 U.S.C. §1973c, reapportionment plan.

The court is aware that R. 626 has been precleared under Section 5 of the

Voting Rights Act as to the 46 senatorial districts it creates, but the United States Department of Justice has objected to the filing and to the primary dates contained in that Act. The attorneys for the defendants Daniel, Dennis and Williams have proposed substitute dates which have been submitted to the United States Department of Justice and the said Department of Justice has interposed no objection. See letter of August 13, 1984 (Court's Exhibit #2) and Paul F. Hancock, Assistant for Litigation of the Voting Rights Section of the Civil Rights Division of the United States Department of Justice, has represented to this court that if the court adopts the dates hereinafter set forth, the Department of Justice will immediately ratify its preclearance of said dates to be used in the 1984 South Caro-

lina Senatorial elections.

Therefore, that portion of this court's order of July 31, 1984, which provided for a schedule for Senatorial elections in 1984 (pp. 26-27) is hereby amended to conform to the following schedule:

(a) Section 7-13-40: candidate filings are to commence at Noon, August 14, 1984, and close at Noon, August 28, 1984;

(b) Section 7-13-40: the primary election is to be held on October 2, 1984;

(c) Section 7-17-560: any protest is to be heard not later than Noon, October 8, 1984;

(d) Section 7-13-50: any run-off election is to be held October 11, 1984;

(e) Section 7-17-560: any protest is to be heard not later than Noon,

October 16, 1984;

(f) Section 7-13-350: certification of candidates is set for Noon, October 18, 1984. Any petition candidate must file his petition not later than Noon, September 18, 1984, to allow sufficient time for the verification of the signatures;

(g) For the primary election of October 2, 1984, absentee ballots may be requested from the county registration board for the county of the voter's residence promptly after the filing cut off date of August 28, 1984, and may be requested by U.S. mail through September 27, 1984, and may be requested in person through October 1, 1984. Completed applications must be returned to the county registration board in person or by mail before 5:00 p.m. the day preceding the primary election. Absentee

ballots, where possible, shall be mailed to any qualified elector requesting an application in sufficient time to be completed and returned to the county registration board by mail before 7:00 p.m. on the date of the election. All valid absentee ballots which are received in compliance with this directive shall be counted in the election for which submitted; and

(h) Section 7-15-310 et seq.: absentee ballots may be requested from the county registration board for the county of the voter's residence promptly after the filing cut off date of August 28, 1984. Completed applications must be returned to the county registration board in person or by mail before 5:00 p.m., November 2, 1984, provided however, that applications shall be accepted by the county board of registra-

tion until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to §7-15-320(4) and (7). Absentee ballots, where possible, shall be mailed to any qualified elector requesting an application in sufficient time to be completed and returned to the county registration board by mail before 7:00 p.m. on the date of the election. All valid absentee ballots which are received in compliance with this directive shall be counted in the election for which submitted;

The State Election Commission and the political parties are authorized to print separate ballots for the state senatorial elections and to utilize paper ballots for senatorial elections should they, in their discretion, so

decide.

The effect of this order is to vacate that portion of this court's order of July 31, 1984, which directed the implementation of the "Sheheen 1.98% Plan" for interim 1984 senatorial elections in South Carolina, on the schedule as fixed therein (pp. 26-27), so as to allow the State of South Carolina to proceed to forthwith implement the legislatively adopted (R. 626 of 1984) and precleared reapportionment plan, under which State senatorial elections are to be held in South Carolina in 1984, pursuant to and in accordance with the schedule hereinabove outlined and approved.

This court retains jurisdiction in this matter for purposes of entering such further orders or granting such further relief as this court may in its

discretion deem appropriate.

IT IS SO ORDERED at Columbia, South Carolina, at 3:00 p.m., this 13th day of August, 1984.

s/Robert F. Chapman
ROBERT F. CHAPMAN
UNITED STATES CIRCUIT JUDGE

s/Falcon B. Hawkins
FALCON B. HAWKINS
UNITED STATES DISTRICT JUDGE

s/Clyde H. Hamilton
CLYDE H. HAMILTON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

COLUMBIA DIVISION

Dr. George G. Graham, as Chairman of the Republican Party of South Carolina, H. Sam Stilwell, and W. Richard Lee, individually and as a representative of a class of persons who seek to vote and hold the office of State Senator in the State of South Carolina,	)	
Plaintiffs,	)	
and	)	Civil Action
The National Association for the Advancement of Colored Peopole, Inc., through its South Carolina State Conference of Branches, and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers and S. T. Peden,	)	No. 3-84 1430-15
Plaintiff-Intervenors,	)	

v.)
)
The State of South Carolina,)
Ex. Rel. Michael Roland)
Daniel, Lieutenant Governor)
of the State of South Caro-)
lina and as Presiding Officer)
of the Senate, Rembert)
Dennis, President Pro Tempore)
of the Senate, Marshall)
Williams, Chairman of the)
Senate Judiciary Committee,)
Raymond Schwartz, Jr.,)
Speaker of the House, Robert)
J. Sheheen, Chairman of the)
House Judiciary Committee,)
and James B. Ellisor,)
Executive Dirtector of the)
South Carolina Election)
Commission,)
)
Defendants,)
)
and,)
)
Joe Wilder,)
)
Defendant-Intervenor.)

NOTICE OF APPEAL TO THE SUPREME COURT
OF THE UNITED STATES

Notice is hereby given that Plaintiff-Intervenors above named hereby appeal to the Supreme Court of the United States from the order entered in

this action on July 31, 1984, ordering into effect a reapportionment plan for the South Carolina Senate.

This appeal is taken pursuant to 42 U.S.C. Section 1973c and 28 U.S.C. Section 1253.

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Attorneys for
Plaintiff-Intervenors

Columbia, South Carolina

August 3, 1984

84-828

NO. 84 -

Supreme Court, U.S.
FILED
OCT 2 1984
ALEXANDER L. STEVAS
CLERK

IN THE

Supreme Court of the United States

October Term, 1984

The National Association for the Advancement of Colored People, Inc., through its South Carolina State Conference of Branches, and William F. Gibson, its President, Adell Thompson Adams, Carol Camellia Singletary, Rev. George R. Couser, Robert S. Logan, Madie Robinson, Frank B. Washington, Nelson Rivers, and S.T. Peden,

Appellants,

vs.

The State of South Carolina, Ex. Rel. Michael Roland Daniel, Lieutenant Governor of the State of South Carolina and as President and Presiding Officer of the Senate, Marshall Williams, Chairman of the Senate Judiciary Committee, Raymon Schwartz, Jr., Speaker of the House, Robert J. Sheheen, Chairman of the House Judiciary Committee, and James B. Ellisor, Executive Director of the South Carolina Election Commission; Joe Wilder; and, Dr. George G. Graham, as Chairman of the Republican Party of South Carolina, H. Sam Stilwell, and W. Richard Lee, individually and as representative of a class of persons who seek to vote and hold the office of State Senator in the State of South Carolina,

Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

JURISDICTIONAL STATEMENT ADDENDUM

CHARLES E. CARTER
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ATTORNEYS FOR APPELLANTS

*COUNSEL OF RECORD

98pp

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Sheheen 1.98% Plan,
(attachment to the
Opinion of the United
States District Court
for the District of
South Carolina,
July 31, 1984).....1

CORRECTED COPY 7/30/84 Sheheen 1.98% Plan

Dist. No.	Total Population	Black Population	% Black
1	68,107	6,364	9.34
2	68,425	5,248	7.67
3	68,465	14,073	20.56
4	68,401	12,457	18.21
5	68,114	4,844	7.11
6	67,257	3,089	4.59
7	68,488	34,411	50.24
8	68,436	5,836	8.53
9	68,266	18,841	27.60
10	68,547	22,464	32.77
11	67,227	8,496	12.64
12	67,358	21,824	32.40
13	67,276	10,550	15.68
14	67,294	14,502	21.55
15	67,390	15,033	22.31
16	67,376	15,562	23.10
17	67,348	28,567	42.42
18	67,677	20,218	29.87
19	67,298	42,786	63.57
20	67,269	16,658	24.76
21	67,641	30,669	45.34
22	67,527	13,937	20.64
23	67,548	3,090	4.57
24	67,955	17,560	25.84
25	68,544	17,331	25.28
26	68,355	14,136	20.68
27	67,757	21,692	32.01
28	67,281	29,406	43.71
29	67,572	26,340	38.98
30	67,339	39,387	58.49
31	67,306	12,604	18.73
32	67,548	39,363	58.27
33	67,204	12,640	18.81
34	67,572	25,996	38.47
35	68,260	25,501	37.36
36	68,061	41,901	61.56
37	68,136	21,737	31.90
38	68,216	8,181	11.99
39	68,379	38,220	55.89
40	68,398	34,401	50.30

Dist. No.	Total Population	Black Population	% Black
41	68,342	5,298	7.75
42	67,501	39,512	58.54
43	68,334	19,151	28.03
44	68,445	30,340	44.33
45	68,062	35,564	52.25
46	68,518	22,843	33.34

Dist. No.	Over 18 Population	Black Over 18	Black % Over 18	% Variation
1	49,948	4,094	8.20	+0.36
2	48,625	3,503	7.20	+0.82
3	49,281	8,926	18.11	+0.88
4	48,082	7,789	16.20	+0.79
5	49,490	3,256	6.58	+0.37
6	48,567	1,939	3.99	-0.90
7	47,773	21,659	45.34	+0.92
8	50,167	3,716	7.41	+0.84
9	48,289	12,014	24.88	+0.59
10	48,360	14,209	29.38	+1.00
11	47,507	5,461	11.50	-0.94
12	48,808	13,944	28.57	-0.75
13	47,819	6,709	14.03	-0.87
14	46,102	8,879	19.26	-0.84
15	47,810	9,613	20.11	-0.70
16	46,120	9,699	21.03	-0.72
17	46,380	17,459	37.64	-0.76
18	48,905	13,114	26.82	-0.28
19	45,666	26,883	58.87	-0.84
20	54,706	12,559	22.96	-0.88
21	48,282	19,959	41.34	-0.33
22	49,966	9,956	19.93	-0.50
23	45,272	1,992	4.40	-0.47
24	47,718	10,856	22.75	+0.13
25	47,094	10,796	22.92	+1.00
26	47,868	8,666	18.10	+0.72
27	46,185	13,441	29.10	-0.16
28	43,823	17,357	39.61	-0.86
29	45,148	15,823	35.05	-0.43
30	43,900	24,021	54.72	-0.78
31	46,940	7,658	16.31	-0.83
32	43,695	23,595	54.00	-0.47

Dist. No.	Over 18 Population	Black Over 18	Black % Over 18	% Variation
33	48,075	7,501	15.60	-0.98
34	44,597	15,383	34.49	-0.43
35	46,098	16,110	34.95	+0.58
36	44,923	25,776	57.38	+0.29
37	42,741	13,183	30.84	+0.40
38	45,355	5,044	11.12	+0.52
39	45,678	24,107	52.78	+0.76
40	46,950	22,420	47.75	+0.78
41	49,024	3,412	6.96	+0.70
42	48,366	25,621	52.97	-0.54
43	52,566	12,604	23.98	+0.69
44	46,676	18,812	40.30	+0.85
45	45,192	21,854	48.36	+0.29
46	49,292	14,665	29.75	+0.96

Area

DISTRICT 1

Total Population	Black Population	Over 18 Population	Black Over 18
Oconee County			
48,611	4,837	34,406	3,060
Pickens County (pt.)			
Clemson Division (pt.)			
ED 184			
1,437	18	1,055	12
ED 185			
966	316	742	227
ED 187			
1,525	12	1,318	12
ED 188			
174	5	142	5
ED 189			
337	3	235	2
ED 191			
51	40	38	30
ED 193			
2	0	2	0
ED 194			
0	0	0	0
ED 196			
601	35	533	31
ED 197			
5,763	167	5,676	164
ED 198			
11	5	10	5
Anderson County (pt.)			
Pendleton Division (pt.)			
ED 311			
46	0	32	0
ED 312			
0	0	0	0
ED 316			
0	0	0	0
ED 317			
58	17	33	9
ED 319			
647	28	465	18

Total Population	Black Population	Over 18 Population	Black Over 18
ED 320			
486	49	352	39
ED 328			
849	259	568	160
ED 329			
0	0	0	0
ED 330			
30	0	21	0
Brushy Creek Division (pt.)			
Tract 101 (pt.)			
Less: ED 305			
(1,862)	(23)	(1,251)	(16)
ED 306			
(101)	(0)	(71)	(0)
ED 307			
(182)	(11)	(120)	(5)
TOTAL			
68,107	6,364	49,948	4,094

% BLACK:	9.34
% BLACK OVER 18	8.20
% VARIANCE:	+0.36

DISTRICT 2

Total Population	Black Population	Over 18 Population	Black Over 18
Pickens County (pt.)			
79,292	5,849	58,376	3,991
Less: Clemson Division (pt.)			
ED 184			
(1,437)	(18)	(1,055)	(12)
ED 185			
(966)	(316)	(742)	(227)
ED 187			
(1,525)	(12)	(1,318)	(12)
ED 188			
(174)	(5)	(142)	(5)
ED 189			
(337)	(3)	(235)	(2)
ED 191			
(51)	(40)	(38)	(30)
ED 193			
(2)	(0)	(2)	(0)
ED 194			
(0)	(0)	(0)	(0)
ED 196			
(601)	(35)	(533)	(31)
ED 197			
(5,763)	(167)	(5,676)	(164)
ED 198			
(11)	(5)	(10)	(5)
TOTAL			
68,425	5,248	48,625	3,503

% BLACK: 7.67
% BLACK OVER 18 7.20
% VARIANCE: +0.82

DISTRICT 3

Total Population	Black Population	Over 18 Population	Black Over 18
Anderson County (pt.)			
Anderson Division (pt.)			
64,396	12,591	45,961	7,948
Less: Tract 5 (pt.)			
Block 201 (ED 500)			
(363)	(117)	(252)	(72)
Block 202 (ED 502)			
(280)	(218)	(178)	(134)
Block 301 (ED 503)			
(879)	(259)	(606)	(154)
(ED 504A)			
(102)	(0)	(67)	(0)
Tract 112 (pt.)			
ED 434			
(124)	(0)	(93)	(0)
ED 436			
(33)	(4)	(25)	(3)
ED 437			
(181)	(0)	(133)	(0)
ED 449			
(4)	(0)	(3)	(0)
ED 450			
(167)	(4)	(117)	(3)
Tract 118			
(2,950)	(251)	(1,933)	(163)
Tract 119 (pt.)			
ED 505 (Block 601)			
(125)	(8)	(83)	(5)
ED 506 (Block 602)			
(80)	(77)	(46)	(44)
ED 507-509			
(148)	(5)	(99)	(3)
ED 510 (Block 603)			
(423)	(416)	(244)	(237)
ED 511-515			
(460)	(39)	(305)	(26)
ED 518			
(53)	(0)	(38)	(0)
Block Group 2			
(1,707)	(4)	(1,148)	(2)

Total Population	Black Population	Over 18 Population	Black Over 18
Block Group 4			
(1,161)	(17)	(840)	(11)
Block Group 5			
(468)	(0)	(370)	(0)
Fork Division			
2,050	271	1,499	142
Pendleton Divison (pt.)			
11,769	2,631	8,386	1,695
ED 311			
(46)	(0)	(32)	(0)
ED 312			
(0)	(0)	(0)	(0)
ED 316			
(0)	(0)	(0)	(0)
ED 317			
(58)	(17)	(33)	(9)
ED 319			
(647)	(28)	(465)	(18)
ED 320			
(486)	(49)	(352)	(39)
ED 328			
(849)	(259)	(568)	(160)
ED 329			
(0)	(0)	(0)	(0)
ED 330			
(30)	(0)	(21)	(0)
Starr Division (pt.)			
ED 547			
215	6	156	4
ED 558			
611	125	423	77
ED 559			
421	158	301	96
Williams-Pelzer Division (pt.)			
ED 362			
655	41	477	32
ED 363			
169	22	127	15
ED 364			
3	0	2	0

TOTAL			
68,465	14,073	49,281	8,926
% BLACK:	20.56		
% BLACK OVER 18	18.11		
% VARIANCE:	+0.88		

DISTRICT 4

Total Population	Black Population	Over 18 Population	Black Over 18
Abbeville County (pt.)			
22,627	7,456	16,039	4,640
Abbeville Division (pt.)			
Less: ED 22			
(189)	(42)	(130)	(24)
ED 25A			
(1,131)	(368)	(749)	(233)
ED 26A			
(619)	(291)	(402)	(165)
ED 27			
(38)	(3)	(34)	(2)
ED 28			
(591)	(191)	(399)	(107)
Antreville-Lowndesville Division (pt.)			
Less: ED 34T			
(1,047)	(345)	(728)	(201)
ED 34U			
(141)	(6)	(109)	(6)
ED 35			
(372)	(64)	(274)	(42)
Donalds Division			
(2,763)	(435)	(1,965)	(254)
Due West Division			
(3,473)	(1,150)	(2,652)	(778)
Anderson County (pt.)			
Iva Division			
5,029	1,046	3,499	618
Honea Path Division			
7,346	861	5,382	576
Belton Division			
11,977	2,540	8,520	1,599
Williams-Pelzer Division (pt.)			
15,338	1,534	10,918	1,008
Less: ED 362			
(655)	(41)	(477)	(32)
ED 363			
(169)	(22)	(127)	(15)
ED 364			
(3)	(0)	(2)	(0)

Total Population	Black Population	Over 18 Population	Black Over 18
Starr Division (pt.)			
3,637	747	2,455	460
ED 547			
(215)	(6)	(156)	(4)
ED 558			
(611)	(125)	(423)	(77)
ED 559			
(421)	(158)	(301)	(96)
Anderson Division (pt.)			
Tract 5 (pt.)			
Block 201 (ED 500)			
363	117	252	72
Block 202 (ED 502)			
280	218	178	134
Block 301 (ED 503)			
879	259	606	154
	(ED 504A)		
102	0	67	0
Tract 112 (pt.)			
ED 434			
124	0	93	0
ED 436			
33	4	25	3
ED 437			
181	0	133	0
ED 449			
4	0	3	0
ED 450			
167	4	117	3
Tract 118			
2,950	251	1,933	163
Tract 119 (pt.)			
ED 505 (Block 601)			
125	8	83	5
ED 506 (Block 602)			
80	77	46	44
ED 507-509			
148	5	99	3
ED 510 (Block 603)			
423	416	244	237
ED 511-515			
460	39	305	26

Total Population	Black Population	Over 18 Population	Black Over 18
ED 518			
53	0	38	0
Block Group 2			
1,707	4	1,148	2
Block Group 4			
1,161	17	840	11
Block Group 5			
468	0	370	0
Brushy Creek Division (pt.)			
11,693	674	7,937	387
Less: Tract 101 (pt.)			
(8,658)	(607)	(5,762)	(341)
ED 305			
1,862	23	1,251	16
ED 306			
101	0	71	0
ED 307			
182	11	120	5
TOTAL			
68,401	12,457	48,082	7,789

% BLACK:	18.21
% BLACK OVER 18	16.20
% VARIANCE:	+0.79

DISTRICT 5

Total Population	Black Population	Over 18 Population	Black Over 18
Greenville County			
Tract 21.04			
1,260	131	974	92
Less: Blocks 619-620, 501, 418-422,820			
(386)	(6)	(308)	(5)
Tract 21.06			
4,353	181	3,241	105
Tract 22.01 (pt.) Blks 713-723, 724 (pt.), 725-726, 501, 506, 508, 509 (pt.)			
1,096	4	807	3
Tract 22.02			
3,048	193	2,208	110
Tract 24			
6,859	75	4,913	50
Tract 25.01			
3,715	66	2,807	42
Tract 25.03			
3,224	140	2,400	89
Tract 25.04			
2,138	584	1,621	390
Tract 25.05			
3,206	247	2,397	147
Tract 26.01			
5,787	1,024	4,164	701
Less Blocks 314-322			
(712)	(54)	(449)	(41)
Tract 26.03 (pt.) Blocks 501, 509-512, 515-517			
624	12	429	10
Tract 27 (pt.) Blocks 819, 821			
7	0	5	0
Tract 36 (pt.) Blocks 916-925			
342	9	250	4
Tract 37.01			
3,704	82	2,616	65
Tract 37.02			
5,154	108	3,850	81
Less: Block 306			
(3)	(0)	(2)	(0)

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 37.03			
7,121	731	5,195	501
Less: Blocks 306-312			
(1,092)	(99)	(861)	(78)
Tract 38.01 (pt.) Blocks 102-103			
12	0	9	0
Tract 39.01			
7,216	695	5,014	480
Tract 39.02			
3,616	154	2,575	99
Tract 40			
3,857	321	2,797	246
Tract 41			
3,968	246	2,838	165
TOTAL			
68,114	4,844	49,490	3,256

% BLACK:	7.11
% BLACK OVER 18	6.58
% VARIANCE:	+0.37

DISTRICT 6

Total Population	Black Population	Over 18 Population	Black Over 18
Greenville County			
Tract 16			
2,662	193	1,948	130
Tract 17			
4,083	236	3,122	173
Tract 18.02 (pt.)			
4,107	283	2,840	188
Less: Blocks 904, 905, 913-916			
(3)	(0)	(2)	(0)
Tract 18.03			
3,906	125	2,854	65
Tract 18.04			
2,557	12	1,786	7
Tract 18.05			
5,224	59	4,168	50
Tract 18.06 (pt.) Blocks 801-804, 825 (pt.), 827 (pt.), 828			
568	12	430	8
Tract 22.01 (pt.) Blocks 101-112, 117-127, 202-204, 801-828			
2,879	48	1,992	36
Tract 23.01			
4,221	15	3,242	11
Tract 23.02			
3,297	55	2,510	32
Tract 23.03 (pt.) Blocks 401-408, 301-334, 201-232			
1,980	24	1,488	15
Tract 23.04 (pt.) Blocks 303, 305			
52	0	45	0
Tract 26.01 (pt.) Blocks 314-322			
712	54	449	41
Tract 26.02			
4,897	60	3,325	39
Tract 26.03			
6,641	1,435	4,206	803
Less: Blocks 501, 509-512, 515-517, 917-918			
(634)	(12)	(435)	(10)

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 27 (pt.)			
5,895	39	4,116	24
Less: Blocks 819, 821 (pt.)			
(7)	(0)	(5)	(0)
Tract 28.01 (pt.)			
7,746	187	4,979	109
Less: Block Group 1			
(166)	(0)	(109)	(0)
Block Group 2			
(1,116)	(59)	(774)	(36)
Blocks 911-922			
(1,335)	(46)	(925)	(28)
Blocks 927-929			
(317)	(0)	(198)	(0)
Tract 37.02 (pt.) Block 306			
3	0	2	0
Tract 37.03 (pt.) Blocks 306-312			
1,092	99	861	78
Tract 38.01			
5,108	216	4,155	159
Less: Blocks 102-103			
(12)	(0)	(9)	(0)
Tract 38.02			
3,217	54	2,506	45
TOTAL			
67,257	3,089	48,567	1,939

% BLACK:	4.59
% BLACK OVER 18	3.99
% VARIANCE:	-0.90

DISTRICT 7

Total Population	Black Population	Over 18 Population	Black Over 18
Greenville County (pt.)			
Tract 1			
1,604	305	1,349	226
Tract 2			
449	175	427	113
Less: Blocks 215, 225			
(0)	(0)	(0)	(0)
Tract 3			
4,090	2,231	3,032	1,430
Less: Blocks 205-215, 301-310,401, 419			
(1,442)	(36)	(1,266)	(35)
Tract 4			
1,914	918	1,508	627
Less: Block Group 1, Blocks 201-216, 301-303			
(1,111)	(440)	(864)	(289)
Tract 5			
2,800	2,350	2,067	1,656
Tract 6			
1,039	976	731	679
Tract 7			
2,251	2,047	1,523	1,354
Tract 8			
1,853	1,343	1,208	818
Tract 9			
1,547	956	1,167	691
Tract 10			
2,323	615	1,897	410
Tract 11.01 (pt.) Blocks 609-612			
144	0	110	0
Tract 11.02			
1,753	375	1,386	230
Less: Blocks 501-510, 511, 515			
(651)	(1)	(546)	(1)
Tract 12.02			
5,102	2,506	3,522	1,477
Tract 13.01			
3,943	3,250	2,675	2,066

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 14 (pt.) Blocks 409, 410 (pt.), 411-412, 413 (pt.)			
634	592	387	350
Tract 15.01 (pt.) Blocks 413-414, 504-507			
535	137	394	88
Tract 15.02			
3,786	3,192	2,329	1,850
Tract 20.01			
2,848	1,490	1,876	854
Tract 20.03			
2,994	1,593	1,990	1,016
Tract 21.03			
2,971	1,121	2,090	727
Tract 21.04 (pt.) Block 619-620, 501, 418-422, 520			
386	6	308	5
Tract 21.05			
3,235	1,197	2,311	777
Tract 21.07			
3,297	299	2,459	194
Tract 21.08			
2,067	499	1,570	335
Tract 22.01 (pt.) Blocks 113-116, 201, 205-223, 301-323, 411-426, 507, 509 (pt.), 712, 724 (pt.)			
1,989	29	1,438	17
Tract 23.03			
2,791	697	994	428
Less: Blocks 401-408, 301-334, 201-232			
(1,980)	(24)	(1,488)	(15)
Tract 23.04			
3,299	2,372	2,277	1,510
Less: Blocks 303, 305			
(52)	(0)	(45)	(0)
Tract 33.01 (pt.) Blocks 201, 203-207			
627	3	423	2
Tract 33.02 (pt.)			
Blocks 301-304			
176	5	125	3
Block Group 2			
1,563	794	974	455

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 34			
1,412	257	971	156
Tract 35			
1,451	292	941	186
Tract 36			
7,193	2,299	4,773	1,273
Less: Blocks 916-925			
(342)	(9)	(250)	(4)
TOTAL			
68,488	34,411	47,773	21,659

% BLACK: 50.24
% BLACK OVER 18 45.34
% VARIANCE: +0.92

DISTRICT 8

Total Population	Black Population	Over 18 Population	Black Over 18
Greenville County			
Tract 2 (pt.) Blocks 215, 225			
0	0	0	0
Tract 3 (pt.) Blocks 205-215, 301-310, 401, 419			
1,442	36	1,266	35
Tract 4 (pt.) Block Group 1, Blocks 201-216, 301-313			
1,111	440	864	289
Tract 11.01			
4,107	50	3,304	40
Less: Blocks 609-612			
(144)	(0)	(110)	(0)
Tract 11.02 (pt.) Blocks 501-511, 515			
651	1	546	1
Tract 12.01			
4,970	5	4,492	3
Tract 12.02 (pt.)			
Tract 13.02			
2,019	21	1,629	20
Tract 14			
4,382	732	3,297	441
Less: Blocks 409, 410 (pt.), 411-412, 413 (pt.)			
(634)	(592)	(387)	(350)
Tract 15.01			
3,349	162	2,720	100
Less: Blocks 413-414, 504-507			
(535)	(137)	(394)	(88)
Tract 18.02 (pt.) Blocks 904, 905, 913-916			
3	0	2	0
Tract 18.06			
3,474	172	2,918	123
Less: Blocks 801-804, 825 (pt.), 827 (pt.), 828			
(568)	(12)	(430)	(8)
Tract 19			
3,756	15	2,630	10

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 20.02			
4,515	1,159	3,047	660
Tract 26.03 (pt.) Blocks 917-918			
10	0	6	0
Tract 28.01 (pt.)			
Block Group 1			
166	0	109	0
Block Group 2			
1,116	59	774	36
Blocks 911-922			
1,335	46	925	28
Blocks 927-929			
317	0	198	0
Tract 28.02			
5,692	373	3,967	290
Tract 29.01			
1,829	630	1,282	417
Tract 29.02			
3,893	502	2,653	305
Tract 29.03			
4,636	294	3,080	188
Tract 30.01			
5,854	310	3,805	227
Tract 30.02			
7,370	941	5,109	568
Tract 30.03			
2,666	169	1,751	94
Tract 31 (pt.)			
Fountain Inn City (pt.)			
Blocks 122, 123, 126 (pt.), 127-132			
738	200	481	117
Blocks 149-151			
99	0	80	0
Block 207			
0	0	0	0
Remainder of Division (pt.)			
Blocks 104-110			
380	244	251	149
Blocks 124-126 (pt.)			
28	13	13	3
Tract 33.02 (pt.) Blocks 903-905, 101-103			
409	3	289	2

Total Population	Black Population	Over 18 Population	Black Over 18
TOTAL			
68,436	5,836	50,167	3,716

% BLACK:	8.53
% BLACK OVER 18	7.41
% VARIANCE:	+0.84

DISTRICT 9

Total Population	Black Population	Over 18 Population	Black Over 18
Abbeville County (pt.)			
Antreville-Lowndesville Division (pt.)			
ED 34T			
1,047	345	728	201
ED 34U			
144	6	109	6
ED 35			
372	64	274	42
Donalds Division			
2,763	435	1,965	254
Due West Division			
3,473	1,150	2,652	778
Less: ED 15			
(335)	(126)	(246)	(86)
Laurens County (pt.)			
52,214	15,165	37,190	9,722
Less: Clinton Division (pt.)			
ED 681			
(320)	(119)	(218)	(84)
ED 687A			
(2,104)	(299)	(1,801)	(210)
ED 688			
(340)	(34)	(211)	(23)
ED 689			
(1,781)	(90)	(1,286)	(64)
Joanna Division			
(2,485)	(318)	(1,849)	(205)
Greenville County (pt.)			
Tract 31 (pt.)			
5,548	1,306	3,813	789
Less: Fountain Inn City (pt.)			
Blocks 122, 123, 126 (pt.), 127-132			
(738)	(200)	(481)	(117)
Blocks 149-151			
(99)	(0)	(80)	(0)
Block 207			
(0)	(0)	(0)	(0)
Remainder of Division (pt.)			
Blocks 104-110			
(380)	(244)	(251)	(149)

Total Population	Black Population	Over 18 Population	Black Over 18
Blocks 124-126 (pt.)			
(28)	(13)	(13)	(3)
Tract 32			
4,819	580	3,470	399
Tract 33.01 (pt.)			
4,412	316	3,162	208
Less: Blocks 201, 203-207			
(627)	(3)	(432)	(2)
Tract 33.02 (pt.)			
4,859	1,722	3,182	1,018
Less: Blocks 301-304, 903-905, 101-103			
(585)	(8)	(414)	(5)
Block Group 2			
(1,563)	(794)	(974)	(455)
TOTAL			
68,266	18,841	48,289	12,014

% BLACK: 27.60
% BLACK OVER 18 24.88
% VARIANCE: +0.59

DISTRICT 10

Total Population	Black Population	Over 18 Population	Black Over 18
Abbeville County (pt.)			
Abbeville Division (pt.)			
ED 22			
189	42	130	24
ED 25A			
1,131	368	749	233
Due West Division (pt.)			
ED 15			
335	126	246	86
ED 26A			
619	291	402	165
ED 27			
38	3	34	2
ED 28			
591	191	399	107
Greenwood County			
57,847	16,714	41,171	10,745
McCormick County			
7,797	4,729	5,229	2,847
TOTAL			
68,547	22,464	48,360	14,209

% BLACK: 32.77
% BLACK OVER 18 29.38
% VARIANCE: +1.00

DISTRICT 11

Total Population	Black Population	Over 18 Population	Black Over 18
Spartanburg County (pt.)			
Tract 214			
7,285	508	5,320	361
Tract 218.01			
5,534	797	3,719	485
Tract 218.02			
3,008	330	2,243	227
Tract 219.01			
4,864	359	3,495	252
Tract 219.02 (pt.)			
Block Group 1			
604	27	472	15
Tract 223 (pt.)			
8,259	784	5,697	505
Less: Block Group 9			
(850)	(31)	(580)	(26)
Tract 224.01			
3,576	669	2,437	421
Tract 224.02			
5,641	261	3,833	178
Tract 224.03			
3,711	790	2,454	438
Tract 225			
2,605	201	1,834	111
Tract 226			
2,874	258	2,124	182
Tract 227			
3,251	167	2,300	105
Tract 228			
5,022	653	3,389	388
Tract 229			
5,380	1,308	4,122	850
Tract 230 (pt.)			
4,119	541	2,839	329
Less: Blocks 221, 222, 224-239, 338, 340-356			
(1,406)	(102)	(862)	(60)
Tract 231.02 (pt.)			
Block 101			
0	0	0	0

Total Population	Black Population	Over 18 Population	Black Over 18
Block Group 5 (pt.)			
1,221	515	888	362
Less: Blocks 508-510			
(36)	(1)	(30)	(1)
Blocks 201-207, 214-217, 219-222			
701	409	515	306
Blocks 224, 226, 227			
3	0	2	0
Block Group 6			
347	6	250	4
Tract 232 (pt.)			
Block Group 1			
1,382	38	945	23
Blocks 201, 202			
132	9	101	6
TOTAL			
67,227	8,496	47,507	5,461

% BLACK:	12.64
% BLACK OVER 18	11.50
% VARIANCE:	-0.94

DISTRICT 12

Total Population	Black Population	Over 18 Population	Black Over 18
Spartanburg County (pt.)			
Tract 201			
162	53	146	40
Tract 202			
1,702	1,438	1,244	1,001
Tract 203.01			
2,719	1,048	2,075	643
Tract 203.02			
1,240	55	1,001	35
Tract 204			
3,236	1,263	2,542	807
Tract 205			
2,538	2,188	1,613	1,317
Tract 206.01			
3,112	420	2,299	276
Tract 206.02			
1,911	75	1,295	51
Tract 206.03			
2,606	66	2,177	46
Tract 207			
5,046	2,019	3,478	1,170
Tract 208			
1,748	1,690	1,097	1,052
Tract 209			
1,967	999	1,548	696
Tract 210.01			
3,054	2,973	1,952	1,893
Tract 210.02			
1,696	1,581	1,163	1,067
Tract 211			
5,181	2,152	3,890	47
Tract 212			
3,586	83	3,080	47
Tract 213.01 (pt.) Blocks 118-120			
42	2	31	1
Tract 213.02 (pt.)			
Block Group 2			
513	5	412	3
Block Group 3 (pt.)			
241	0	179	0

Total Population	Black Population	Over 18 Population	Black Over 18
Less: Blocks 301 (pt.), 303-307			
(105)	(0)	(74)	(0)
Block Group 4 (pt.)			
920	4	705	3
Less: Blocks 401 (pt.), 410-416			
(395)	(0)	(310)	(0)
Tract 215			
2,679	15	2,022	11
Tract 216			
3,056	425	2,369	288
Tract 217			
4,513	1,504	3,234	926
Tract 219.02 (pt.)			
Block Group 2			
1,459	68	977	37
Block Group 3			
904	2	689	2
Tract 220.01 (pt.)			
5,798	1,145	3,879	737
Less: ED 839			
(26)	(0)	(23)	(0)
Block 512			
(10)	(0)	(7)	(0)
Tract 220.02			
6,265	551	4,125	266
TOTAL			
67,358	21,824	48,808	13,944

% BLACK:	32.40
% BLACK OVER 18	28.57
% VARIANCE:	-0.75

DISTRICT 13

Total Population	Black Population	Over 18 Population	Black Over 18
Spartanburg County			
Tract 213.01 (pt.)			
2,449	869	1,788	560
Less: Blocks 118-120			
(42)	(2)	(31)	(1)
Tract 213.02 (pt.)			
Block Group 1			
892	1	704	1
Block Group 3 (pt.) Blocks 301 (pt.), 301-307			
105	0	74	0
Block Group 4 (pt.) Blocks 401 (pt.), 410-416			
395	0	310	0
Tract 213.03			
4,837	134	3,433	84
Tract 220.01 (pt.)			
ED 839			
26	0	23	0
Block 512			
10	0	7	0
Tract 221			
3,877	434	2,805	282
Tract 222.01			
4,407	235	3,190	183
Tract 222.02			
3,991	601	2,918	425
Tract 223 (pt.) Block Group 9			
850	31	580	26
Tract 230 (pt.) Blocks 221, 222, 224-239, 338, 340-356			
1,406	102	862	60
Tract 23.01			
5,272	1,274	3,908	885
Less: Block 101			
(0)	(0)	(0)	(0)
Block Group 5 (pt.) Blocks 501-507, 511-520, 522-538			
(1,185)	(514)	(858)	(361)

Total Population	Black Population	Over 18 Population	Black Over 18
Blocks 201-207, 214-217, 219-222			
(701)	(409)	(515)	(306)
Blocks 224, 226, 227			
(3)	(0)	(2)	(0)
Block Group 6			
(347)	(6)	(250)	(4)
Tract 232 (pt.)			
5,059	629	3,558	385
Less: Block Group 1			
(1,382)	(38)	(945)	(23)
Blocks 201, 202			
(132)	(9)	(101)	(6)
Tract 233			
6,221	2,107	4,249	1,299
Tract 234			
6,379	801	4,487	531
Tract 235			
3,598	420	2,545	262
Tract 236			
5,171	1,222	3,661	759
Tract 237			
2,997	510	2,154	320
Tract 238			
4,811	601	3,382	396
Tract 239			
5,075	1,048	3,622	642
TOTAL			
67,276	10,550	47,819	6,709

% BLACK: 15.68
% BLACK OVER 18 14.03
% VARIANCE: -0.87

DISTRICT 14

Total Population	Black Population	Over 18 Population	Black Over 18
Cherokee County			
40,983	7,988	28,283	4,870
York County (pt.)			
Hickory Grove Division			
3,298	866	2,268	530
Glover Division (pt.)			
12,902	1,870	9,042	1,179
Less: ED 453			
(768)	(232)	(553)	(138)
ED 457			
(1,832)	(46)	(1,381)	(23)
ED 458			
(284)	(0)	(212)	(0)
McConnells Division			
1,789	519	1,174	310
York Division (pt.)			
11,787	3,266	7,916	1,983
Less: Tract 15.02 (pt.)			
Block Group 1			
(178)	(30)	(136)	(22)
ED 490			
(0)	(0)	(0)	(0)
ED 494			
(68)	(8)	(44)	(5)
ED 495A			
(450)	(54)	(314)	(33)
ED 495B			
(15)	(0)	(13)	(0)
ED 496			
(204)	(5)	(128)	(3)
ED 497A			
(51)	(17)	(42)	(11)
ED 497B			
(8)	(0)	(6)	(0)
ED 498			
(358)	(34)	(244)	(23)
ED 499			
(245)	(12)	(171)	(8)
Union County (pt.)			
Jonesville Division (pt.)			

Total Population	Black Population	Over 18 Population	Black Over 18
ED 134			
996	431	663	273
TOTAL			
67,294	14,502	46,102	8,879

% BLACK:	21.55
% BLACK OVER 18	19.26
% VARIANCE:	-0.84

DISTRICT 15

Total Population	Black Population	Over 18 Population	Black Over 18
York County (pt.)			
Clover Division (pt.)			
ED 453			
768	232	553	138
ED 457			
1,832	46	1,381	23
ED 458			
284	0	212	0
Fort Mill Division			
12,861	1,220	9,075	811
Rock Hill Division (pt.)			
64,083	16,014	44,866	10,184
Less: Tract 4.02 (pt.) (Remainder)			
Block Group 1 (pt.)			
(218)	(8)	(141)	(5)
Tract 12			
(9,165)	(1,050)	(6,068)	(671)
Tract 13.01 (pt.)			
(2,813)	(1,459)	(1,833)	(829)
Less: Rock Hill City (pt.)			
Block Group 2			
625	619	344	338
Tract 13.02			
(2,180)	(635)	(1,471)	(396)
Tract 14.02 (pt.)			
ED 512			
(250)	(102)	(195)	(82)
ED 513			
(14)	(4)	(11)	(3)
York Division (pt.)			
Block Group 1			
178	30	136	22
ED 490			
0	0	0	0
ED 494			
68	8	44	5
ED 495A			
450	54	314	33
ED 495B			
15	0	13	0

Total Population	Black Population	Over 18 Population	Black Over 18
ED 496			
204	5	128	3
ED 497A			
51	17	42	11
ED 497B			
8	0	6	0
ED 498			
358	34	244	23
ED 499			
245	12	771	8
TOTAL			
67,390	15.033	47,810	9,613

% BLACK:	22.31
% BLACK OVER 18	20.11
% VARIANCE:	-0.70

DISTRICT 16

Total Population	Black Population	Over 18 Population	Black Over 18
Lancaster County			
53,361	12,923	36,745	8,051
York County (pt.)			
Rock Hill Division (pt.)			
Tract 4.02 (pt.)			
Block Group 1 (pt.)			
218	8	141	5
Tract 12			
9,165	1,050	6,068	671
Tract 13.01 (pt.)			
2,813	1,459	1,833	829
Less: Rock Hill City (pt.)			
Block Group 2			
(625)	(619)	(344)	(338)
Tract 13.02			
2,180	635	1,471	396
Tract 14.02 (pt.)			
ED 512			
250	102	195	82
ED 513			
14	4	11	3
TOTAL			
67,376	15,562	46,120	9,699
% BLACK:	23.10		
% BLACK OVER 18	21.03		
% VARIANCE:	-0.72		

DISTRICT 17

Total Population	Black Population	Over 18 Population	Black Over 18
Chester County			
30,148	11,630	20,794	7,036
Fairfield County			
20,700	12,083	13,936	7,519
Union County (pt.)			
Lockhart Division			
2,659	586	1,928	346
Union Division (pt.)			
Monarch Mills CDP			
2,353	183	1,679	118
ED 147B			
141	0	102	0
ED 148			
72	4	53	4
ED 149			
544	29	364	19
ED 150			
176	0	115	0
ED 151			
298	28	209	0
ED 152			
1,103	277	733	0
ED 153			
186	15	147	14
ED 160A			
10	10	6	6
ED 161A			
0	0	0	0
ED 162A			
236	162	156	98
ED 163			
0	0	0	0
ED 164			
0	0	0	0
ED 165			
104	52	74	32
ED 167			
455	49	335	31
Jonesville Division			
3,514	1,325	2,488	859

Total Population	Black Population	Over 18 Population	Black Over 18
Less: ED 134			
(996)	(431)	(663)	(273)
West Springs Division (pt.)			
ED 138			
423	156	304	96
Carlisle Division			
1,972	1,359		
Newberry County			
Pomaria Division			
3,250	1,050	2,286	672
TOTAL			
67,348	28,567	46,380	17,459

% BLACK: 42.42
% BLACK OVER 18 37.64
% VARIANCE: -0.76

DISTRICT 18

Total Population	Black Population	Over 18 Population	Black Over 18
Laurens County (pt.)			
Clinton Division (pt.)			
ED 681			
320	119	218	84
ED 687A			
2,104	299	1,801	210
ED 688			
340	34	211	23
ED 689			
1,781	90	1,286	64
Joanna Division			
2,485	318	1,849	205
Saluda County			
16,150	5,702	11,193	3,455
Newberry County			
31,242	9,884	22,772	6,487
Less: Pomaria Division			
(3,250)	(1,050)	(2,286)	(672)
Union County			
Cross Keys Division			
1,322	655	918	420
West Springs Division			
1,713	279	923	96
Less: ED 138			
(423)	(156)		
Union Division			
19,571	4,853	13,993	3,064
Less: Monarch Mills CDP			
(2,353)	(183)	(1,679)	(118)
ED 147B			
(141)	(0)	(102)	(0)
ED 148			
(72)	(4)	(53)	(4)
ED 149			
(544)	(29)	(364)	(19)
ED 150			
(176)	(0)	(115)	(0)
ED 151			
(298)	(28)	(209)	(0)

Total Population	Black Population	Over 18 Population	Black Over 18
ED 152			
(1,103)	(277)	(733)	(0)
ED 153			
(186)	(15)	(147)	(14)
ED 160A			
(10)	(10)	(6)	(6)
ED 161A			
(0)	(0)	(0)	(0)
ED 162A			
(236)	(162)	(156)	(98)
ED 163			
(0)	(0)	(0)	(0)
ED 164			
(0)	(0)	(0)	(0)
ED 165			
(104)	(52)	(74)	(32)
ED 167			
(455)	(49)	(335)	(31)
TOTAL			
67,677	20,218	48,905	13,114

% BLACK: 29.87
% BLACK OVER 18 26.80
% VARIANCE: -0.28

DISTRICT 19

Total Population	Black Population	Over 18 Population	Black Over 18
Richland County (pt.)			
Blythewood Division (Tract 101)			
5,103	2,181		
Camp Ground Division (Tract 102)			
3,665	1,628		
Columbia Division (pt.)			
Tract 1			
2,845	1,702		
Tract 2			
1,785	834		
Tract 3			
3,949	3,173		
Tract 4			
2,054	809		
Tract 5			
3,194	2,930		
Tract 105.01			
2,489	630		
Tract 106			
7,623	5,560		
Tract 107.01			
4,236	4,029		
Tract 107.02			
4,743	4,267		
Tract 107.03			
5,427	5,379		
Tract 108.02			
2,731	1,438		
Tract 108.03			
3,176	896		
Tract 109			
2,953	2,931		
Tract 113.03 (pt.)			
Keels Precinct (pt.) Blocks 101, 104-124, 126-129, 132, 144-149, 152, 153			
1,554	492		
Tract 110			
2,003	1,103		

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 108.04 (pt.) Blocks 414-417, 432, 433, 503, 504, 508, 520-526, 528-530			
953	930		
Pontiac Division (pt.)			
Tract 114.01 (pt.)			
Blocks 119-121			
287	60		
Block Group 2 (pt.)			
3,759	1,670		
Less: Blocks 241, 242, 256, 257			
(3)	(0)		
Block Group 9 (pt.) Blocks 903-906, 919-926, 928-930, 933, 942-947			
2,772	144		
TOTAL			
67,298	42,786		
% BLACK:	63.57		
% VARIANCE:	-0.83		

DISTRICT 20

Total Population	Black Population	Over 18 Population	Black Over 18
Richland County (pt.)			
Dutch Fork Division (pt.) Tracts 103.01, 103.02, 104.03, 104.04, 104.05, 104.06			
30,460	5,432		
Columbia Division			
Tract 6			
2,420	753		
Tract 7			
2,034	946		
Tract 8			
1,629	837		
Tract 14			
1,113	590		
Tract 15			
1,188	253		
Tract 16			
1,154	1,000		
Tract 17			
1,593	972		
Tract 18			
1,665	351		
Tract 19			
3,600	531		
Tract 20.01			
3,602	414		
Tract 20.02			
371	222		
Tract 21			
3,079	756		
Tract 25			
3,890	224		
Tract 26 (pt.)			
Block 701-706			
186	27		
Blocks 505-508, 512-516			
324	0		
Tract 105.02			
1,161	1,112		
Tract 117.01			
3,109	1,894		

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 27			
2,816	118		
Tract 28			
1,875	226		
TOTAL			
67,269	16,658		

% BLACK:	24.76
% VARIANCE:	+0.88
% BLACK VARIANCE:	22.96

DISTRICT 21

Total Population	Black Population	Over 18 Population	Black Over 18
Richland County (pt.)			
Columbia Division (pt.)			
Tract 22			
1,656	623		
Tract 23			
2,287	9		
Tract 24			
3,529	129		
Tract 26 (pt.)			
10,473	1,913		
Less: Blocks 505-508, 512-516			
(324)	(0)		
Blocks 701-706			
(186)	(27)		
Tract 115 Ft. Jackson (pt.)			
1,600	533		
Tract 116.03			
3,159	154		
Tract 116.04			
3,687	144		
Tract 116.05			
7,429	783		
Tract 116.06			
3,142	434		
Tract 117.02			
4,411	4,130		
Tract 9			
3,342	3,035		
Tract 10			
5,455	5,219		
Tract 13			
4,259	4,086		
Hopkins Division (Tract 118)			
6,035	5,225		
Horrell Hill Division			
Tract 119.02			
2,963	680		
Eastover Division (Tract 120)			
4,724	3,599		

Total Population	Black Population	Over 18 Population	Black Over 18
TOTAL			
67,641	30,669		

% BLACK:	45.34
% VARIANCE:	-0.33
% BLACK VARIANCE:	41.34

DISTRICT 22

Total Population	Black Population	Over 18 Population	Black Over 18 Population
Richland County (pt.)			
Columbia Division (pt.)			
Tract 108.04			
3,518	2,682		
Less: Blocks 414-417, 432, 433, 503, 504, 508, 520-526, 528-530			
(953)	(930)		
Tract 11			
4,983	1,518		
Tract 111.01			
3,385	323		
Tract 111.02			
3,747	287		
Tract 12			
1,607	25		
Tract 112.01			
2,109	25		
Tract 112.02			
3,634	33		
Tract 113.01			
7,682	928		
Tract 113.04			
3,570	389		
Tract 113.05			
6,172	1,016		
Tract 113.03 (pt.)			
2,167	573		
Less: Keels Precinct (pt.) Blocks 101, 104-124, 126-129, 132, 144-149, 152-153			
(1,554)	(492)		
Pontiac Division			
Tract 114.01 (pt.)			
10,061	2,208		
Less: Blocks 119-121			
(287)	(60)		
Block Group 2			
(3,759)	(1,670)		
Except: Blocks 241, 242, 256, 257			
3	0		

Total Population	Black Population	Over 18 Population	Black Over 18
Block Group 9 (pt.) Blocks 903-906, 919-926, 928-930, 933, 942-947			
(2,772)	(144)		
Tract 114.02			
6,182	576		
Tract 115 (pt.)			
4,409	1,850		
Fort Jackson (pt.)			
8,840	3,505		
Horrell Hill Division (pt.)			
Tract 119.01			
4,783	1,295		
TOTAL			
67,527	13,937		

% BLACK: 20.60
% VARIANCE: .50

DISTRICT 23

Total Population	Black Population	Over 18 Population	Black Over 18
Lexington County (pt.)			
Tract 205.02 (pt.)			
6,945	281	4,806	178
Less: Blocks 101-102			
(37)	(0)	(21)	(0)
Blocks 935-950			
(1,424)	(42)	(929)	(27)
Tract 205.03			
8,538	550	6,122	436
Tract 206.02			
4,360	38	3,121	29
Tract 206.03 (pt.)			
Pineridge Town (pt.)			
421	0	251	0
Blocks 816, 817 (pt.), 818			
110	0	79	0
Blocks 902, 917 (pt.), 918-920 (pt.)			
83	0	61	0
Tract 207 (pt.)			
South Congaree Town			
2,113	58	1,352	36
Pineridge Town (pt.)			
866	0	550	0
Blocks 201 (pt.), 202-208, 209 (pt.), 210 (pt.), 211 (pt.), 219 (pt.), 220-221, 261 (pt.), 262 (pt.)			
1,633	59	1,101	34
Blocks 307 (pt.), 308, 319-323, 324 (pt.), 326 (pt.), 330 (pt.), 342, 343 (pt.)			
478	53	314	38
ED 722			
859	0	554	0
Tract 209 (pt.)			
ED 733-735			
2,627	99	1,702	54
Tract 210.01 (pt.)			
ED 711-713			
483	5	331	3
Tract 210.02 (pt.)			
6,323	241	4,309	156

Total Population	Black Population	Over 18 Population	Black Over 18
Less: Lexington Town (pt.)			
(889)	(32)	(642)	(24)
Tract 210.03			
10,720	657	7,026	393
Tract 211.02			
4,630	217	3,014	146
Tract 211.03			
8,750	351	5,427	214
Tract 211.04			
3,938	94	2,494	50
Tract 212			
4,725	408	3,370	244
Tract 213 (pt.)			
ED 748-749			
301	0	192	0
ED 753			
995	53	688	32
TOTAL			
67,548	3,090	45,272	1,992

% BLACK:	4.57
% BLACK OVER 18	4.40
% VARIANCE:	-0.47

DISTRICT 24

Total Population	Black Population	Over 18 Population	Black Over 18
Aiken County (pt.)			
Tract 201			
3,138	1,107	2,132	678
Tract 202			
2,994	728	2,069	462
Tract 203 (pt.)			
5,654	4,831	3,782	1,100
Less: Blocks 109-112, 212, 214, 218-224, 235-237, 301-304, 306-317			
(1,404)	(183)	(993)	(109)
ED 133			
(694)	(151)	(454)	(90)
ED 134			
(412)	(18)	(292)	(12)
ED 135			
(120)	(0)	(84)	(0)
Tract 212			
6,394	227	4,558	139
Tract 213			
3,651	138	2,833	82
Tract 214			
7,350	5,670	4,895	3,543
Tract 215			
4,406	678	3,319	404
Tract 216			
7,234	1,169	5,062	680
Tract 219 (pt.) Block Group 1			
221	89	146	51
Tract 220 (pt.)			
New Ellenton Town			
2,628	917	1,870	577
Block Group 1 (pt.) (Remainder)			
1,471	460	1,001	289
Block Group 2 (pt.)			
Block 220 (pt.)			
8	0	5	0
Block 223 (pt.), 250			
882	707	558	433
Block 321 (pt.)			
0	0	0	0

Total Population	Black Population	Over 18 Population	Black Over 18
Block 405 (pt.)			
18	0	13	0
Lexington County (pt.)			
Tract 210.01 (pt.)			
8,777	984	6,322	694
Less: ED 711-713			
(483)	(5)	(331)	(3)
Tract 210.02 (pt.)			
Lexington Town (pt.)			
889	32	642	24
Tract 213 (pt.)			
7,740	560	5,439	328
Less: ED 748-749			
(301)	(0)	(192)	(0)
ED 753			
(995)	(53)	(688)	(32)
Tract 214			
8,909	2,673	6,106	1,618
TOTAL			
67,995	17,560	47,718	10,856

% BLACK:	25.84
% BLACK OVER 18	22.75
% VARIANCE:	+0.13

DISTRICT 25

Total Population	Black Population	Over 18 Population	Black Over 18
Edgefield County			
17,528	8,725	11,847	5,379
Aiken County (pt.)			
Tract 203 (pt.)			
Blocks 109-112, 212, 214, 218-224, 235-237, 301-304,306-317			
1,404	183	993	109
ED 133			
694	151	454	90
ED 134			
412	18	292	12
ED 135			
120	0	84	0
Tract 204			
3,506	702	2,403	457
Tract 205			
1,769	465	1,127	280
Tract 206			
6,819	1,177	4,551	704
Tract 207			
9,663	1,370	6,659	858
Tract 208			
6,301	883	4,711	583
Tract 209			
4,839	1,648	3,275	1,059
Tract 210.01			
4,291	783	2,977	514
Tract 210.02			
4,563	804	3,114	509
Tract 211			
6,635	422	4,607	242
TOTAL			
68,544	17,331	47,904	10,796

% BLACK: 25.28
% BLACK OVER 18 22.92
% VARIANCE: +1.00

DISTRICT 26

Total Population	Black Population	Over 18 Population	Black Over 18
Lexington County (pt.)			
Tract 201			
3,773	854	2,565	531
Tract 202.01			
2,725	188	2,186	109
Tract 202.02			
2,830	640	2,011	394
Tract 203			
3,339	252	2,788	202
Tract 205.02 (pt.)			
Blocks 101-102			
37	0	21	0
Blocks 935-950			
1,424	42	929	27
Tract 205.04			
5,482	228	4,275	189
Tract 205.05			
4,340	1,122	3,140	686
Tract 206.01			
4,590	42	3,484	26
Tract 206.03 (pt.)			
5,623	297	3,828	197
Less: Pineridge Town (pt.			
(421)	(0)	(251)	(0)
Blocks 816, 817 (pt.), 818			
(110)	(0)	(79)	(0)
Blocks 902, 917 (pt.), 918-920			
(83)	(0)	(61)	(0)
Tract 207 (pt.)			
11,575	1,326	7,352	779
Less: South Congaree Town			
(2,113)	(58)	(1,352)	(36)
Pineridge Town (pt.)			
(866)	(0)	(550)	(0)
Blocks 201-211, 219-221, 261, 262			
(1,633)	(59)	(1,101)	(34)
307-308, 319-324, 326, 330, 342, 343			
(478)	(53)	(314)	(38)

Total Population	Black Population	Over 18 Population	Black Over 18
ED 722			
(859)	(0)	(554)	(0)
Tract 208			
6,419	1,410	4,237	830
Tract 209 (pt.)			
5,302	443	3,500	248
Less: ED 733-735			
(2,627)	(99)	(1,702)	(54)
Aiken County (pt.)			
Tract 217 (pt.)			
3,355	1,403	2,258	844
Tract 218			
2,562	1,225	1,756	780
Tract 219 (pt.)			
1,911	625	1,250	378
Less: Block Group 1			
(221)	(89)	(146)	(51)
Tract 220 (pt.)			
5,940	2,560	4,056	1,583
Less: New Ellenton Town			
(2,628)	(917)	(1,870)	(577)
Block Group 1 (pt.) (Remainder)			
(1,471)	(460)	(1,001)	(289)
Block Group 2 (pt.)			
Block 220 (pt.)			
(8)	(0)	(5)	(0)
Block 223 (pt.), 250			
(882)	(707)	(558)	(433)
Block 321 (pt.)			
(0)	(0)	(0)	(0)
Block 405 (pt.)			
(18)	(0)	(13)	(0)
Tract 221			
2,650	537	1,870	328
Tract 222			
0	0	0	0
Barnwell County (pt.)			
Kline-Snelling Division			
2,053	1,108	1,352	691
Barnwell Division (pt.)			
8,340	2,365	5,543	1,405

Total Population	Black Population	Over 18 Population	Black Over 18
Less: ED 467			
(355)	(36)	(248)	(22)
ED 472			
(824)	(65)	(527)	(39)
ED 475			
(613)	(14)	(401)	(8)
Williston Division (pt.)			
ED 466			
295	26	200	20
TOTAL			
68,355	14,136	48,591	9,121

% BLACK: 20.68
% BLACK OVER 18 18.10
% VARIANCE: +0.72

DISTRICT 27

Total Population	Black Population	Over 18 Population	Black Over 18
Kershaw County			
39,015	12,163	26,755	7,826
Chesterfield County (pt.)			
Chesterfield Division			
6,503	2,094	4,578	1,266
Jefferson Division			
2,787	819	1,896	507
McBee Division			
2,090	733	1,368	423
Mt. Croghan Division			
2,480	610	1,715	358
Pageland Division			
7,036	2,470	4,672	1,418
Patrick Division (pt.)			
4,345	659	2,877	372
Less: ED 507A			
(810)	(232)	(525)	(129)
ED 508			
(3)	(3)	(3)	(3)
ED 509			
(9)	(4)	(9)	(4)
Patrick Town			
(375)	(63)	(263)	(28)
ED 510			
(652)	(18)	(412)	(10)
ED 511			
(704)	(31)	(464)	(20)
ED 512			
(593)	(57)	(401)	(38)
Cheraw Division (pt.)			
ED 455			
1,131	765	670	387
ED 456			
1,229	520	820	308
ED 457			
209	19	123	10
ED 458A			
2,254	615	1,490	373
ED 458B			
0	0	0	0

Total Population	Black Population	Over 18 Population	Black Over 18
ED 458D			
1,346	583	974	396
ED 458E			
0	0	0	0
ED 459			
478	50	324	29
TOTAL			
67,757	21,692	46,185	13,441

% BLACK:	32.01
% BLACK OVER 18	29.10
% VARIANCE:	-0.16

DISTRICT 28

Total Population	Black Population	Over 18 Population	Black Over 18
Dillon County			
31,083	13,018	19,873	7,355
Marlboro County			
31,634	14,649	20,651	8,764
Chesterfield County (pt.)			
Cheraw Division (pt.)			
12,920	5,071	8,784	3,203
Less: ED 455			
(1,131)	(765)	(670)	(387)
ED 456			
(1,229)	(520)	(820)	(308)
ED 457			
(209)	(19)	(123)	(10)
ED 458A			
(2,254)	(615)	(1,490)	(373)
ED 458B			
(0)	(0)	(0)	(0)
ED 458D			
(1,346)	(583)	(974)	(396)
ED 458E			
(0)	(0)	(0)	(0)
ED 459			
(478)	(50)	(324)	(29)
ED 461			
(1,233)	(684)	(774)	(399)
ED 462			
(32)	(32)	(22)	(22)
ED 463			
(444)	(64)	(288)	(41)
TOTAL			
67,281	29,406	43,823	17,357

% BLACK: 43.71
% BLACK OVER 18 39.61
% VARIANCE: -0.86

DISTRICT 29

Total Population	Black Population	Over 18 Population	Black Over 18
Darlington County			
62,717	25,152	41,987	15,129
Chesterfield County (pt.)			
Patrick Division (pt.)			
ED 507A			
810	232	525	129
ED 508			
3	3	3	3
ED 509			
9	4	9	4
ED 510			
652	18	412	10
ED 511			
704	31	464	20
ED 512			
593	57	401	38
Patrick Town			
375	63	263	28
Cheraw Division (pt.)			
ED 461			
1,233	684	774	399
ED 462			
32	32	22	22
ED 463			
444	64	288	41
TOTALS			
67,572	26,340	45,148	15,823

% BLACK: 38.98
% BLACK OVER 18 35.05
% VARIANCE: -0.43

DISTRICT 30

Total Population	Black Population	Over 18 Population	Black Over 18
Florence County (pt.)			
Florence Division (pt.)			
Tract 3 (pt.)			
4,754	2,533	2,954	1,431
Less: ED 1077			
(12)	(8)	(8)	(6)
ED 1078			
(109)	(54)	(64)	(30)
ED 1079			
(229)	(51)	(146)	(33)
ED 1083			
(45)	(13)	(33)	(7)
ED 1084			
(0)	(0)	(0)	(0)
ED 1085			
(132)	(114)	(83)	(68)
ED 1086			
(7)	(3)	(4)	(2)
Quinby Town			
(952)	(133)	(644)	(80)
Block 301			
(918)	(58)	(640)	(42)
Tract 5 (pt.)			
3,416	444	2,344	276
Less: ED 1111			
(658)	(165)	(457)	(108)
ED 1113 (Block 102)			
(541)	(0)	(375)	(0)
Tract 7			
5,655	4,946	3,631	3,066
Tract 8			
5,898	5,786	3,590	3,511
Tract 9			
4,932	4,729	3,157	3,007
Pamplico Division (pt.)			
14,020	4,141	9,459	2,670
Less: ED 1139			
(77)	(0)	(55)	(0)
ED 1140			
(187)	(24)	(171)	(24)

Total Population	Black Population	Over 18 Population	Black Over 18
ED 1141			
(168)	(0)	(113)	(0)
ED 1142			
(691)	(0)	(459)	(0)
ED 1143			
(578)	(22)	(412)	(18)
ED 1144			
(2,023)	(119)	(1,257)	(56)
ED 1145			
(4)	(0)	(2)	(0)
ED 1148			
(713)	(181)	(491)	(119)
ED 1149			
(1,463)	(494)	(954)	(298)
Johnsonville Division (pt.)			
ED 1160			
706	394	476	253
ED 1161			
780	478	532	307
ED 1163			
410	0	274	0
Danwood Division (pt.)			
ED 1204			
8	8	5	5
ED 1205			
537	123	346	75
ED 1206			
271	6	181	6
ED 1207			
220	2	145	2
ED 1208			
25	3	21	2
ED 1209			
73	0	49	0
ED 1210			
855	518	510	292
ED 1211			
86	61	52	34
ED 1223			
759	428	487	247
ED 1224			
1,027	331	670	207

Total Population	Black Population	Over 18 Population	Black Over 18
ED 1241			
678	621	410	371
Lake City-Scranton Division (pt.)			
Tract 20 (pt.)			
ED 1176			
196	16	139	10
ED 1177			
863	486	534	271
ED 1178			
428	127	281	73
Tract 21 (pt.)			
EDs 1188-1190			
1,130	746	712	442
Tract 22 (pt.)			
EDs 1174C, 1183, 1184, 1185A, 1185C, 1185D, 1186, 1187, 1174A, 1174B			
3,627	3,057	2,342	1,915
Cowards Division (pt.)			
ED 1202			
452	97	288	55
Marion County (pt.)			
Mullins Division (pt.)			
13,717	6,821	9,129	4,122
Less: Eds 859-861			
(2,511)	(1,307)	(1,591)	(767)
Marion Division (pt.)			
16,587	8,303	10,932	5,097
Less: Marion Town			
(7,700)	(3,925)	(5,224)	(2,443)
ED 875			
(646)	(259)	(401)	(134)
ED 876A			
(1,511)	(524)	(974)	(329)
ED 873, 874			
(2,000)	(1,201)	(1,332)	(735)
Horry County (pt.)			
Floyd's Division			
3,771	1,269	2,558	702
Loris Division (pt.)			
ED 703			
977	157	660	75

Total Population	Black Population	Over 18 Population	Black Over 18
ED 704			
849	284	582	151
ED 705			
121	38	78	20
ED 706			
899	444	576	243
ED 707			
251	75	176	43
ED 715			
847	384	559	231
ED 716			
47	4	34	1
Aynor Division (pt.)			
ED 725			
44	1	33	1
ED 726			
435	84	289	55
ED 727			
520	32	353	19
ED 728			
2	0	2	0
ED 729			
341	65	240	42
TOTAL			
67,339	39,387	43,900	24,021

% BLACK: 58.49
% BLACK OVER 18 54.72
% VARIANCE: -0.78

DISTRICT 31

Total Population	Black Population	Over 18 Population	Black Over 18
Clarendon County (pt.)			
Turbeville Division			
3,290	883	2,133	504
Florence County (pt.)			
Coward Division			
3,057	621	2,046	362
Less: ED 1202			
(452)	(97)	(288)	(55)
Sardis Division			
2,771	1,242	1,792	706
Timmonsville Division			
3,347	1,957	2,264	1,197
Olanta Division			
3,900	1,316	2,571	732
Lake City-Scranton Division (pt.)			
12,844	6,617	8,649	4,067
Less: Tract 20 (pt.)			
ED 1176			
(196)	(16)	(139)	(10)
ED 1177			
(863)	(486)	(534)	(271)
ED 1178			
(428)	(127)	(281)	(73)
Tract 21 (pt.)			
EDs 1188-1190			
(1,130)	(746)	(712)	(442)
Tract 22 (pt.)			
EDs 1174C, 1183, 1184, 1185A, 1185C, 1185D, 1186, 1187			
(711)	(633)	(426)	(379)
ED 1174A			
(1,821)	(1,640)	(1,146)	(1,002)
ED 1174B			
(1,095)	(784)	(770)	(534)
Florence Division (pt.)			
Tract 1			
3,105	138	2,102	104
Tract 2			
4,614	261	3,219	181
Tract 3 (pt.)			

Total Population	Black Population	Over 18 Population	Black Over 18
ED 1077			
12	8	8	6
ED 1078			
109	54	64	30
ED 1079			
229	51	146	33
ED 1083			
45	13	33	7
ED 1084			
0	0	0	0
ED 1085			
132	114	83	68
ED 1086			
7	3	4	2
Quinby Town			
952	133	644	80
Block 301			
918	58	640	42
Tract 4			
3,438	651	2,447	422
Tract 5 (pt.)			
ED 1111			
658	165	457	108
ED 1113 (Block 102)			
541	0	375	0
Tract 6			
3,155	21	2,094	11
Tract 10			
2,090	349	1,736	236
Tract 11			
4,285	306	3,498	173
Tract 12			
3,501	32	2,640	20
Tract 13			
3,980	218	2,840	165
Tract 14			
3,666	26	2,563	17
Danwood Division (pt.)			
7,991	3,157	5,150	1,867
Less: ED 1204			
(8)	(8)	(5)	(5)

Total Population	Black Population	Over 18 Population	Black Over 18
ED 1205 (537)	(123)	(346)	(75)
ED 1206 (271)	(6)	(181)	(6)
ED 1207 (220)	(2)	(145)	(2)
ED 1208 (25)	(3)	(21)	(2)
ED 1209 (73)	(0)	(49)	(0)
ED 1210 (855)	(518)	(510)	(292)
ED 1211 (86)	(61)	(52)	(34)
ED 1223 (759)	(428)	(487)	(247)
ED 1224 (1,027)	(331)	(670)	(207)
ED 1241 (678)	(621)	(410)	(371)
Pamplico Division			
ED 1139 (Block 204) 77	0	55	0
ED 1140 (Block 205) 187	24	171	24
ED 1141 (Block 201) 168	0	113	0
ED 1142 (Block 202) 691	0	459	0
ED 1143 (Block 203) 578	22	412	18
ED 1144 (Block 101) 2,023	119	1,257	66
ED 1145 4	0	2	0
ED 1148 713	181	491	119
ED 1149 1,463	494	954	298

TOTAL			
67,306	12,604	46,940	7,658

% BLACK:	18.73
% BLACK OVER 18	16.31
% VARIANCE:	-0.83

DISTRICT 32

Total Population	Black Population	Over 18 Population	Black Over 18
Williamsburg County			
38,226	23,806	24,461	14,142
Clarendon County (pt.)			
Alcolu Division			
2,328	1,394	1,500	861
Sardinia Division			
1,906	1,007	1,287	617
Sumter County (pt.)			
Shiloh Division			
2,997	2,346	1,831	1,376
Marion County (pt.)			
Brittons Neck Division			
2,205	1,345	1,414	825
Centenary Division			
1,670	1,306	1,084	809
Marion Division (pt.)			
Marion Town			
7,700	3,925	5,224	2,443
ED 875			
646	259	401	134
ED 876A			
1,511	524	974	329
ED 873, 874			
2,000	1,201	1,332	735
Mullins Division (pt.)			
EDs 859-861			
2,511	1,307	1,591	767
Florence County (pt.)			
Johnsonville Division (pt.)			
5,744	1,815	3,878	1,117
Less: ED 1160			
(706)	(394)	(476)	(253)
ED 1161			
(780)	(478)	(532)	(307)
ED 1163			
(410)	(0)	(274)	(0)
TOTAL			
67,548	39,363	43,695	23,595
% BLACK:	58.27		
% BLACK OVER 18	54.00		
% VARIANCE:	-0.47		

DISTRICT 33

Total Population	Black Population	Over 18 Population	Black Over 18
Horry County (pt.)			
Little River Div.			
8,781	2,308	6,500	1,403
Longs Division			
3,299	1,601	2,106	864
Myrtle Beach Division (pt.)			
34,827	4,335	25,506	2,721
Less: ED 800			
(1,170)	(629)	(752)	(386)
Conway East Div. (pt.)			
8,546	1,345	5,862	820
Less: ED 780T			
(2,073)	(13)	(1,462)	(11)
ED 781			
(1,401)	(3)	(952)	(2)
Conway Div. (pt.)			
ED 738			
908	0	660	0
ED 739			
923	0	704	0
ED 740T			
870	10	657	4
ED 740U 836			
296	493	137	
ED 741			
50	3	31	2
ED 742			
1,635	402	1,201	269
ED 748			
464	9	310	5
ED 749			
111	0	91	0
ED 750			
530	42	394	41
ED 753			
852	232	570	131
ED 754			
973	148	641	73
ED 755			
639	215	453	146

DISTRICT 33

Total Population	Black Population	Over 18 Population	Black Over 18
ED 757A			
450	188	314	132
ED 757B			
8	0	5	0
ED 757C			
0	0	0	0
ED 756A			
0	0	0	0
ED 756B			
0	0	0	0
Loris Division (pt.)			
11,137	3,537	7,408	1,916
Less: ED 703			
(977)	(157)	(660)	(75)
ED 704			
(849)	(284)	(582)	(151)
ED 705			
(121)	(38)	(78)	(20)
ED 706			
(899)	(444)	(576)	(243)
ED 715			
(847)	(384)	(559)	(231)
ED 716			
(47)	(4)	(34)	(1)
ED 707			
(251)	(75)	(176)	(43)
TOTAL:			
67,204	12,640	48,075	7,501

% BLACK: 18.81
% BLACK OVER 18 15.60
% VARIANCE: -0.98

DISTRICT 34

Total Population	Black Population	Over 18 Population	Black Over 18
Georgetown County			
42,461	19,030	27,883	11,237
Horry County (pt.)			
Myrtle Beach Division (pt.)			
ED 800			
1,170	629	752	386
Aynor Division (pt.)			
7,190	936	4,867	557
LESS: ED 725			
(44)	(1)	(33)	(1)
ED 726			
(435)	(84)	(289)	(55)
ED 727			
(520)	(32)	(353)	(19)
ED 728			
(2)	(0)	(2)	(0)
ED 729			
(341)	(65)	(240)	(42)
Conway Division (pt.)			
23,868	7,112	16,122	4,247
Less: ED 738			
(908)	(0)	(660)	(0)
ED 739			
(923)	(0)	(704)	(0)
ED 740T			
(870)	(10)	(657)	(4)
ED 740U			
(836)	(296)	(493)	(137)
ED 741			
(50)	(3)	(31)	(2)
ED 742			
(1,635)	(402)	(1,201)	(269)
ED 748			
(464)	(9)	(310)	(5)
ED 749			
(111)	(0)	(91)	(0)
ED 750			
(530)	(42)	(394)	(41)
ED 753			
(852)	(232)	(570)	(131)

DISTRICT 34

Total Population	Black Population	Over 18 Population	Black Over 18
ED 754			
(973)	(148)	(641)	(73)
ED 755			
(639)	(215)	(453)	(146)
ED 757A			
(450)	(188)	(314)	(132)
ED 757B			
(8)	(0)	(5)	(0)
ED 757C			
(0)	(0)	(0)	(0)
ED 756A			
(0)	(0)	(0)	(0)
ED 756B			
(0)	(0)	(0)	(0)
Conway East Division (pt.)			
ED 780T			
2,073	13	1,462	11
ED 781			
1,401	3	952	2
TOTAL			
67,572	25,996	44,597	15,383

% BLACK: 38.47
% BLACK OVER 18 34.49
% VARIANCE: -0.43

DISTRICT 35

Total Population	Black Population	Over 18 Population	Black Over 18
Sumter County (pt.)			
Privateer Division (pt.)			
Pinewood Town			
686	421	471	276
ED 444			
2,237	317	1,443	192
Ed 447			
540	443	358	292
Rembert Division			
2,792	2,311	1,906	1,524
Shaw-Horatio Division			
18,434	6,397	12,278	3,982
Sumter Division (pt.)			
45,373	19,588	30,748	12,430
Less: South Sumter CDP			
(7,096)	(6,495)	(4,561)	(4,117)
Tract 11 (pt.)			
ED 450			
(16)	(0)	(11)	(0)
Block 104,105,108			
(38)	(28)	(21)	(14)
Sumter North Division			
3,120	1,356	2,051	802
Sumter N.E. Division (pt.)			
ED 430			
713	448	457	265
Sumter S.W. Division			
1,515	743	979	478
TOTALS			
68,260	25,501	46,098	16,110

% BLACK: 37.36
% BLACK OVER 18 34.95
% VARIANCE: +0.58

DISTRICT 36

Total Population	Black Population	Over 18 Population	Black Over 18
Calhoun County			
12,206	6,702	8,277	4,193
Lee County			
18,929	11,586	12,318	6,897
Carendon County (pt.)			
27,464	15,778	18,294	9,824
Less: Alcolu Div.			
(2,328)	(1,394)	(1,500)	(861)
Sardinia Div.			
(1,906)	(1,007)	(1,287)	(617)
Turbeville Div.			
(3,290)	(883)	(2,133)	(504)
Sumter County (pt.)			
Sumter N.E. Div. (pt.)			
3,141	2,229	2,017	1,350
Less: ED 430			
(713)	(448)	(457)	(265)
Sumter S.E. Division			
3,735	1,991	2,399	1,157
Privateer Division (pt.)			
7,136	2,005	4,674	1,230
Less: Pinewood Town			
(686)	(421)	(471)	(276)
ED 444			
(2,237)	(317)	(1,443)	(192)
ED 447			
(540)	(443)	(358)	(292)
Sumter Division (pt.)			
South Sumter CDP			
7,096	6,495	4,561	4,117
Tract 11 (pt.)			
ED 450			
16	0	11	0
Blocks 104,105,108			
38	28	21	14
TOTALS			
68,061	41,901	44,923	25,776

% BLACK: 61.56
% BLACK OVER 18 57.38
% VARIANCE: +0.29

DISTRICT 37

Total Population	Black Population	Over 18 Population	Black Over 18
Berkeley County (pt.)			
94,727	23,362	61,045	14,233
Less Tract 207.0 (pt.)			
Blocks 235,242			
(395)	(147)	(268)	(99)
Less Tract 207.0			
Goose Creek (pt.)			
(4,710)	(150)	(3,052)	(92)
Block 124			
(0)	(0)	(0)	(0)
Blocks 212			
(0)	(0)	(0)	(0)
Blocks 313,319			
(328)	(36)	(213)	(21)
Blocks 513			
(698)	(0)	(466)	(0)
Block Group			
(850)	(276)	(560)	(169)
Blocks 701			
(63)	(27)	(52)	(16)
Less Tract 208.0			
Block Group			
(436)	(84)	(302)	(45)
Block 327			
(34)	(0)	(24)	(0)
Block 341			
(0)	(0)	(0)	(0)
Block Group			
(3,080)	(156)	(2,082)	(103)
Goose Creek (pt.)			
Blocks 30, 302 (pt.) 312 (pt.)			
(634)	(53)	(382)	(26)

DISTRICT 37

Total Population	Black Population	Over 18 Population	Black Over 18
Block Grc (2,187)	(159)	(1,366)	(90)
Less Tract 209 (8,249)	(336)	(5,829)	(219)
Less Tract 210 (4,927)	(201)	(3,708)	(170)
TOTAL 68,136	21,737	42,741	13,183

% BLACK: 31.90
% BLACK OVER 18 30.84
% VARIANCE: +0.40

DISTRICT 38

Total Population	Black Population	Over 18 Population	Black Over 18
Charleston County (pt.)			
Division (pt.)			
Tract 31.01 (pt.)			
Lincolnville Town			
808	375	531	241
Ladson CDP			
2,959	494	1,858	261
Block Group 3			
16	16	10	10
Block Group 4			
73	41	46	27
Blocks 701,702			
32	0	24	0
Block 131			
51	7	33	4
Blocks 902 (pt.), 903 (pt.), 904			
272	13	191	6
Blocks 906,909			
141	4	97	3
Dorechester County (pt.)			
St. George Division (pt.)			
ED 608			
649	329	433	216
Summerville Division (p.43)			
43,111	6,714	27,992	4,135
Less: Tract 105 (pt.)			
Block Group 1			
(615)	(241)	(406)	(259)
Block Group 2			
(2,146)	(275)	(1,370)	(169)
Block Group 3			
(2,181)	(407)	(1,411)	(248)
ED 625			
(701)	(12)	(411)	(7)
ED 626			
(289)	(77)	(191)	(47)
ED 627			
(555)	(425)	(375)	(280)

DISTRICT 38

Total Population	Black Population	Over 18 Population	Black Over 18
Berkeley County (pt.)			
Tract 207.01 (pt.)			
Blocks 235,240,242			
395	147	268	99
Tract 207.02 (pt.)			
Goose Creek City (pt.)			
4,710	150	3,052	92
Block 124			
0	0	0	0
Blocks 212,214			
0	0	0	0
Blocks 313,314,319			
328	36	213	21
Blocks 513,517			
698	0	466	0
Block Group 6			
850	276	560	169
Block 701 (pt.)			
63	27	52	16
Tract 208 (pt.)			
Block Group 1			
436	84	302	45
Block 327			
34	0	24	0
Block 341			
0	0	0	0
Block Group 6			
3,080	156	2,082	103
Goose Creek City (pt.)			
Blocks 301 (pt.)			
302 (pt.), 311 (pt.)			
312 (pt.)			
634	53	382	26
Block Group 5			
2,187	159	1,366	90
Tract 209			
8,249	336	5,829	219

DISTRICT 38

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 210			
4,927	201	3,708	170
TOTAL			
68,216	8,181	45,355	5,044

% BLACK:	11.99
% BLACK OVER 18	11.12
% VARIANCE:	+0.52

DISTRICT 39

Total Population	Black Population	Over 18 Population	Black Over 18
Orangeburg County 9pt.)			
Elloree Division			
3,794	2,376	2,554	1,461
Vance Division			
4,586	3,602	2,965	2,179
Eutawville Division			
3,949	2,765	2,559	1,686
Holly Hill Division			
4,967	3,182	3,257	1,998
Bowman Division			
4,339	3,055	2,814	1,890
Branchville Division			
2,338	1,150	1,631	751
Orangeburg Division (pt.)			
ED 335 (Rowesville Town)			
388	197	291	144
ED 350			
233	152	153	89
Orangeburg West Division (pt.)			
ED 359			
256	54	176	37
Dorchester County (pt.)			
St. George Division (pt.)			
4,855	2,648	3,378	1,747
Less: ED 608			
(649)	(329)	(433)	(216)
Reevesville Division			
2,483	1,318	1,673	819
Ridgeville Division			
3,334	1,644	2,206	1,059
Harleyville Division			
4,978	2,541	3,344	1,646
Summerville Division (pt.)			
Tract 105 (pt.)			
Block Group 1			
615	241	406	159
Block Group 2			
2,146	275	1,370	169
Block Group 3			
2,181	407	1,411	248

DISTRICT 39

Total Population	Black Population	Over 18 Population	Black Over 18
ED 625			
701	12	411	7
ED 626			
289	77	191	47
ED 627			
555	425	375	280
Bamberg County			
18,118	10,371	12,348	6,673
Allendale County 9pt.)			
Sycamore Division			
1,312	626	871	376
Allendale Division (pt.)			
ED 62			
60	46	29	19
ED 63			
7	0	4	0
ED 64			
18	7	11	4
ED 65			
131	55	91	31
Fairfax Division (pt.)			
Fairfax Town			
2,061	1,110	1,386	676
ED 71			
334	213	206	128
TOTAL			
68,379	38,220	45,678	24,107

% BLACK: 55.89
% BLACK OVER 18 52.78
% VARIANCE: +0.76

DISTRICT 40

Total Population	Black Population	Over 18 Population	Black Over 18
Orangeburg County (pt.)			
Orangeburg Division (pt.)			
37,220	21,595	26,321	14,710
Less: ED 335 (Rowesville Town)			
(388)	(197)	(291)	(144)
ED 350			
(233)	(152)	(153)	(89)
Orangeburg West Division (pt.)			
7,763	2,532	5,053	1,542
Less: ED 359			
(256)	(54)	(176)	(37)
North Division			
3,230	1,464	2,199	915
Neeses Division			
3,025	749	2,036	459
Springfield Division			
2,406	1,239	1,627	719
Cope Division			
1,958	969	1,349	611
Norway Division			
2,701	1,404	1,748	843
Barnwell County (pt.)			
Blacksville Division			
4,279	2,562	2,756	1,512
Barnwell Division (pt.)			
ED 467			
355	36	248	22
ED 472			
824	65	527	39
ED 475			
613	14	401	8
Williston Division			
5,196	2,201	3,505	1,330
Less: Ed 466			
(295)	(26)	(200)	(20)
TOTAL			
68,398	34,401	46,950	22,420

% BLACK: 50.30
% BLACK OVER 18 47.75
% VARIANCE: +0.78

DISTRICT 41

Total Population	Black Population	Over 18 Population	Black Over 18
Charleston County (pt.)			
James Is. Div. (pt.)			
27,719	6,173	19,397	3,817
Less: Tract 19.01 (pt.)			
Blocks 902,903			
(337)	(286)	(208)	(174)
Tract 19.02 (pt.)			
Blocks 901,902			
(480)	(459)	(256)	(238)
Tract 20.03			
(4,531)	(3,425)	(2,931)	(2,129)
Tract 20.04			
(1,478)	(14)	(1,242)	(9)
Tract 20.05 (pt.)			
(3,992)	(240)	(2,640)	(137)
Block Group 1			
415	0	307	0
Block Group 2			
1,417	32	915	8
Block Group 3			
496	34	443	60
Blocks 901, 909			
10	10	7	7
Blocks 910, 905			
697	84	311	20
Blocks 619,623			
244	21	178	13
Tract 20.06			
Block Group 1			
(806)	(775)	(522)	(498)
Charleston Division (pt.)			
Tract 26.02			
11,566	1,577	8,523	1,080
Tract 26.04			
4,202	318	3,263	235
Tract 26.06			
2,529	46	1,776	33
Tract 28			
6,760	252	5,086	170

DISTRICT 41

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 30			
3,461	27	2,968	18
Tract 31.01			
8,956	1,761	5,748	1,029
Less: Lincolnville Town			
(808)	(375)	(531)	(241)
Ladson Town			
(2,959)	(494)	(1,858)	(261)
Block Group 3			
(16)	(16)	(10)	(10)
Block Group 4			
(73)	(41)	(46)	(27)
Blocks 701,702			
(32)	(0)	(24)	(0)
Block 131			
(51)	(7)	(33)	(4)
Blocks 902,904			
(272)	(13)	(191)	(6)
Blocks 906,909			
(141)	(4)	(97)	(3)
Tract 31.02			
14,602	1,826	9,911	1,163
Less: Block Group 1			
(240)	(240)	(165)	(165)
Block Group 4			
(676)	(63)	(504)	(44)
Blocks 916,918,909,922			
(2,486)	(649)	(1,796)	(438)
Tract 31.04			
Block 105			
767	85	529	49
Tract 39			
Blocks 201,102,208-216			
899	54	646	35
Block Group 3			
873	10	668	6
Block 901			
213	14	152	8

DISTRICT 41

Total Population	Black Population	Over 18 Population	Black Over 18
Bear Swamp Division			
Block Group 1			
717	16	465	9
Block Group 2			
767	5	511	3
Blocks 911,989			
410	54	274	33
TOTAL			
68,342	5,298	49,024	3,412

% BLACK: 7.75
% BLACK OVER 18 6.96
% VARIANCE: +0.70

DISTRICT 42

Total Population	Black Population	Over 18 Population	Black Over 18
Charleston County (pt.)			
Charleston Division (pt.)			
Tract 1 (pt.)			
2,941	374	2,383	203
Less:Block Group 3			
(401)	(3)	(313)	(3)
Blocks 401-404,411			
(148)	(11)	(122)	(6)
Tract 2 (pt.)			
2,053	8	1,699	5
Less:Blocks 307-313, 315-316			
(646)	(0)	(534)	(0)
Tract 3			
570	35	498	30
Tract 4 (pt.)			
2,669	633	2,383	409
Less:Blocks 301-304			
(808)	(37)	(791)	(31)
Blocks 208,209			
(0)	(0)	(0)	(0)
Tract 5 (pt.)			
2,130	107	1,902	84
Less: Block Group 1			
(993)	(76)	(881)	(59)
Block Group 3			
(349)	(10)	(325)	(10)
Tract 7			
2,163	1,558	1,713	1,124
Tract 8			
2,049	1,660	1,484	1,114
Tract 9			
2,623	2,574	1,781	1,745
Tract 9.99			
0	0	0	0
Tract 10 (pt.)			
3,090	3,022	2,172	2,107
Less: Block Group 5			
(753)	(694)	(529)	(473)
Tract 11 (pt.)			

DISTRICT 42

Total Population	Black Population	Over 18 Population	Black Over 18
Block Group 1			
699	697	503	501
Block Group 2			
335	333	276	275
Blocks 304-306			
421	419	357	357
Block Group 4			
563	562	396	395
Blocks 501-502			
193	191	138	136
Tract 12			
2,023	1,863	1,494	1,338
Tract 13			
2,388	2,346	1,496	1,459
Tract 14			
1,529	1,499	1,008	981
Tract 15			
1,964	1,730	1,432	1,216
Tract 16 (pt.)			
2,050	1,536	1,492	1,007
Less: Blocks 203-207,214,215			
(806)	(606)	(561)	(367)
Tract 17 (pt.)			
2,747	2,060	2,079	1,446
Less: Blocks 306,307,320,322			
(241)	(102)	(189)	(69)
Tract 31.02 (pt.)			
Blocks 105-108			
65	65	38	38
Tract 33 (pt.)			
5,968	3,134	4,066	1,950
Less: Block 1			
(618)	(64)	(449)	(34)
Block 201			
(0)	(0)	(0)	(0)
Tract 34 (pt.)			
Block 201			
576	43	399	25
Block Group 4			
1,347	175	936	96

DISTRICT 42

Total Population	Black Population	Over 18 Population	Black Over 18
Blocks 309,310			
114	2	94	2
Tract 35			
4,142	128	3,189	51
Tract 36			
3,759	466	2,819	278
Tract 37			
5,485	3,852	3,236	1,957
Tract 38 (pt.)			
Block Group 1			
926	258	663	148
Block Group 2			
933	352	658	190
Block Group 4			
800	159	534	87
Tract 40 (pt.)			
3,076	1,324	2,167	779
Less: Blocks 202-208,213			
(18)	(4)	(11)	(4)
Tract 41			
1,387	388	1,102	266
Tract 43			
4,065	2,549	2,944	1,696
Tract 44 (pt.)			
2,417	2,102	1,637	1,383
Less: Block 704			
(0)	(0)	(0)	(0)
Block Group 9			
(11)	(9)	(7)	(5)
Tract 45			
2,963	2,911	1,840	1,797
Tract 45.99			
70	13	70	13
TOTAL			
67,501	39,512	48,366	25,627

% BLACK: 58.53
% BLACK OVER 18 52.97
% VARIANCE: -0.54

DISTRICT 43

Total Population	Black Population	Over 18 Population	Black Over 18
Charleston County (pt.)			
Charleston Division (pt.)			
Tract 1 (pt.)			
Block Group 3			
401	3	313	3
Blocks 401-404,411			
148	11	122	6
Tract 1.99			
57	6	57	6
Blocks 307-313,315,316			
646	0	534	0
Tract 4 (pt.)			
Blocks 301-304			
808	37	791	31
Blocks 208,209			
0	0	0	0
Tract 5 (pt.)			
Block Group 1			
993	76	881	59
Block Group 3			
349	10	325	10
Tract 6			
1,756	826	1,486	597
Tract 10 (pt.)			
Block Group 5			
753	694	529	473
Tract 11 (pt.)			
3,854	3,801	2,630	2,592
Less: Block Group 1			
(699)	(697)	(503)	(501)
Block Group 2			
(335)	(333)	(276)	(275)
Blocks 304-306			
(421)	(419)	(357)	(357)
Block Group 4			
(563)	(562)	(396)	(395)
Blocks 501,502			
(193)	(191)	(138)	(136)

DISTRICT 43

Total Population	Black Population	Over 18 Population	Black Over 18
Tract 16 (pt.)			
Blocks 203-207, 210,215			
806	606	561	367
Tract 17 (pt.)			
Blocks 306,307,320,322			
241	102	189	69
Tract 18			
2,139	55	2,021	54
Tract 26.05			
5,208	1,347	3,942	916
Tract 27.01			
3,194	1,862	2,104	1,104
Tract 27.02			
5,967	2,642	4,032	1,515
Tract 29			
3,905	1,854	2,829	1,074
Tract 31.02 (pt.)			
Blocks 101, 102, 109, 125			
175	175	126	126
Block Group 4			
676	63	504	44
Blocks 916-918,909,922			
2,486	649	1,796	438
Tract 31.03			
6,135	440	4,458	367
Tract 31.04			
3,941	763	2,773	483
Less: Block 105			
(767)	(85)	(529)	(49)
Tract 31.05			
3,126	1,163	2,175	737
Tract 32			
5,501	1,056	3,559	692
Tract 33 (pt.)			
Block Group 1			
618	64	449	34
Block 201			
0	0	0	0
Tract 34 (pt.)			
4,945	555	3,579	325

DISTRICT 43

Total Population	Black Population	Over 18 Population	Black Over 18
Less: Block Group 4			
(1,347)	(175)	(936)	(96)
Block 201			
(576)	(43)	(399)	(25)
Block 309,310			
(114)	(2)	(94)	(2)
Tract 38 (pt.)			
3,924	1,059	2,750	605
Less: Block Group 1			
(926)	(258)	(663)	(148)
Block Group 2			
(933)	(352)	(658)	(190)
Block Group 4			
(800)	(159)	(534)	(87)
Tract 39 (pt.)			
3,451	1,193	2,505	807
Less: Blocks 201,102,208-216			
(899)	(54)	(646)	(35)
Block Group 3			
(873)	(10)	(668)	(6)
Block 901			
(213)	(14)	(152)	(8)
Tract 40 (pt.)			
Blocks 202-208,213			
18	4	11	4
Tract 42			
1,593	195	1,432	186
Tract 42.99			
10,168	1,185	10,045	1,185
Tract 44 (pt.)			
Block 709			
0	0	0	0
Block Group 9			
11	9	7	5
TOTAL			
68,334	19,151	53,566	12,604

% BLACK: 28.03
% BLACK OVER 18 23.98
% VARIANCE: +0.69

DISTRICT 44

Total Population	Black Population	Over 18 Population	Black Over 18
Charleston County (pt.)			
McClellanville Division			
4,199	3,077	2,840	2,011
Mt. Pleasant Division			
28,764	6,140	20,482	3,950
Edisto Island Division			
1,345	1,124	869	703
Johns Island Division			
9,296	3,975	6,231	2,426
Wadmalaw Division			
2,440	1,935	1,658	1,265
Revenel Division			
10,950	7,588	7,011	4,529
Bear Swamp Division (pt.)			
5,000	1,558	3,197	921
Less: Block Group 1			
(717)	(16)	(465)	(9)
Block Group 2			
(767)	(5)	(511)	(3)
Blocks 911,989			
(410)	(54)	(274)	(33)
James Island Division (pt.)			
Tract 19.01 (pt.)			
Block 902-903			
337	286	208	174
Tract 19.02 (pt.)			
Blocks 901-902			
480	459	256	238
Tract 20.03			
4,531	3,425	2,931	2,129
Tract 20.04			
1,478	14	1,242	0
Tract 20.05 (pt.)			
3,992	240	2,640	131
Less: Block Group 1			
(415)	(0)	(307)	(0)
Block Group 2			
(1,417)	(32)	(915)	(18)

DISTRICT 44

Total Population	Black Population	Over 18 Population	Black Over 18
Block Group 910,905			
(697)	(84)	(443)	(60)
Block Group 901,909			
(10)	(10)	(7)	(7)
Block Group 3			
(496)	(34)	(311)	(20)
Block 619,623			
(244)	(21)	(178)	(13)
Tract 20.06 (pt.)			
Block Group 1			
806	775	522	498
TOTAL			
68,445	30,340	46,676	18,812

% BLACK: 44.33
% BLACK OVER 18 40.30
% VARIANCE: +0.85

DISTRICT 45

Total Population	Black Population	Over 18 Population	Black Over 18
Alendale County (pt.)			
10,700	6,690	7,080	4,105
Less: Sycamore Division			
(1,312)	(626)	(871)	(376)
ED 62			
(60)	(46)	(29)	(19)
ED 63			
(7)	(0)	(4)	(0)
ED 64			
(18)	(7)	(11)	(4)
ED 65			
(131)	(55)	(91)	(31)
Fairfax Division (pt.)			
Fairfax Town			
(2,061)	(1,110)	(1,386)	(676)
ED 71			
(334)	(213)	(206)	(128)
Colleton County			
31,776	14,436	21,438	8,949
Hampton County			
18,159	9,545	12,039	5,857
Jasper County (pt.)			
14,504	8,289	9,349	4,992
Less: Ridgeland Div. (pt.)			
Ridgeland Town			
(1,143)	(126)	(823)	(71)
ED 186			
(391)	(311)	(255)	(195)
ED 187			
(1,050)	(572)	(662)	(346)
ED 188A			
(570)	(330)	(376)	(203)
TOTAL			
68,062	35,564	45,192	21,854

% BLACK: 52.25
% BLACK OVER 18 48.36
% VARIANCE: +0.29

DISTRICT 46

Total Population	Black Population	Over 18 Population	Black Over 18
Beaufort County			
65,364	21,504	47,176	13,850
Jasper County (pt.)			
Ridgeland Div. (pt.)			
Ridgeland Town			
1,143	126	823	71
ED 186			
391	311	255	195
ED 187			
1,050	572	662	346
ED 188A			
570	330	376	203
TOTAL			
68,518	22,843	49,292	14,665

% BLACK:	33.34
% BLACK OVER 18	29.75
% VARIANCE:	+0.96

84-828 (3)

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No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1984

The National Association For The Advancement of Colored People, Inc., et al.,

Appellants,

vs.

South Carolina, ex rel. Michael Roland Daniel, et al.,

Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

MOTION TO DISMISS

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*Counsel of Record

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NO. _____

IN THE
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OCTOBER TERM, 1984

The National Association for the Advancement of Colored People, Inc., et al.,

appellants,
versus

South Carolina, ex rel. Michael Roland Daniel, et al.,

Appellees.

ON APPEAL FROM THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

MOTION TO DISMISS

Pursuant to Rule 16.1(a) of the Rules of the Supreme Court of the United States, appellees Michael Roland Daniel, Rembert C. Dennis, and Marshall Williams, Robert J. Sheheen, Raymon Schwartz, Jr., and James B. Ellisor move the Court to dismiss the appeal herein on the ground that this appeal is not within the Court's jurisdiction.

Opinion Below

The July 31, 1984, opinion of the district court is set forth in appellants' jurisdictional statement at pages 3a to 51a. The July 31, 1984, order of the district court which is the subject of this appeal is set forth in appellants' jurisdictional statement at pages 51a and 52a. The order vacating the July 31, 1984, order of the district court and the opinion attached thereto are set forth in appellants' jurisdictional statement at pages 53a through 63a.

Jurisdiction

This appeal is not within the jurisdiction of the Court. No statute permits this appeal directly from the

district court. No statute or constitutional provision permits this appeal from an order that has been vacated by the district court.

Constitutional and Statutory Provisions Involved

The pertinent provision of the United States Constitution, Article III, Section 2, Clause 1, is set forth in appellants' jurisdictional statement at 2. The pertinent statutory provisions, 28 U.S.C. § 1253 and 42 U.S.C. § 1973c, are set forth in Appendices A and B to appellees' motion to dismiss.

Statement of the Case

Appellees Dr. George Graham, H. Sam Stilwell, and W. Richard Lee instituted this action on June 13, 1984, against certain named state officials to obtain a court ordered interim reapportionment plan for the South Carolina Senate so that elections could be held for these offices in 1984.[1] The NAACP and several of its members intervened as plaintiffs and Joe Wilder intervened as a defendant. The district court set an expedited

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[1]The General Assembly of South Carolina had passed a permanent statutory plan and submitted it to the District Court for the District of Columbia for preclearance under 42 U.S.C. § 1973c in 1983. That court had scheduled the trial for October 22, 1984, a date too late for elections to be held under the statutory plan in 1984.

schedule for filing of briefs on the issues raised in the pleadings and for proposed reapportionment plans. The district court, after determining that it should exercise its equitable jurisdiction to adopt a plan for use in Senate elections in 1984, received the plans of parties to the suit. None of the plans presented were the same as the statutory plan then under consideration for Section 5 preclearance in the District Court for the District of Columbia.

The district court held a trial on the merits on July 26, 27, and 30, 1984. The Court gave each party an opportunity to present proposed plans for use in the 1984 elections and to present whatever evidence he desired in support of his plan and in opposition to all other parties' proposed plans.

On July 31, 1984, the district court entered an order which adopted an interim reapportionment plan for the South Carolina Senate and which set a schedule to enable the State to hold Senate elections in 1984.[2] Along with that order the district court filed an opinion which explained the reasons that the Court had decided to exercise its equitable jurisdiction in the manner it did. Subsequent to the district court's adoption of an interim reapportionment plan, the General Assembly of South Carolina passed and the Governor signed S. 1093 adopting a permanent reapportionment plan for the

---

[2]That schedule provided for candidate filing to begin on August 13, 1984, and squeezed all other necessary steps into the time remaining prior to the general election date.

South Carolina Senate and a schedule of elections for 1984 only. Act 626 of 1984. The Attorney General granted Section 5 preclearance to the plan but objected to the schedule for 1984 Senate elections contained in the Act, J. S. App. 57a, a schedule identical to the one contained in the district court's order.

Thereafter, defendants Daniel, Dennis, and Williams moved the district court to vacate its order that 1984 Senate elections be held under the interim court-adopted plan to permit the 1984 elections to proceed under Act 626. Since the Attorney General had objected to the schedule contained in Act 626, which was identical to the schedule in the district court's July 31, 1984 order, Daniel, Dennis, and

Williams also moved the court to amend the schedule in the July 31, 1984 order.[3]

The district court vacated that part of the July 31st order which adopted an interim plan, thereby permitting the plan in Act 626 to be used in 1984, and amended the schedule to provide new deadlines for the conduct of Senate primaries and preparation for the general election in 1984.

---

[3] Insufficient time remained to recall the General Assembly, introduce and pass a new statutory schedule and have it precleared in time for the senate elections to be held on the general election day in 1984.

Argument

1. This appeal should be dismissed since appellants admit that the order appealed herein has been vacated and thus any action by this Court is an advisory opinion.

In their jurisdictional statement appellants admit that the order they seek to appeal has been vacated and superseded by a subsequent order of the same court and that their appeal is therefore moot. J.S. 12-13, 15. Appellants nevertheless wish to appeal the opinion of the district court that was filed with the vacated order, an opinion which is neither part of, nor related to, any extant order of the district court.

No operative portion of the July 31, 1984, order remains. The

decree contained in the July 31, 1984, order has been vacated or superseded in its entirety by the August 13, 1984, order. Consequently, no appeal of the vacated July 31, 1984, order is necessary or appropriate. Battle v. Anderson, 708 F.2d 1523 (10th Cir. 1983), cert. dismissed, ____ U.S.____, 104 S. Ct. 1019 (1984); Theodoropoulos v. Thompson-Starrett Co., 418 F.2d 350, 353, (2d Cir. 1969), cert. denied, 398 U.S. 905 (1970).

Appellants seek to avoid this compelling conclusion by stating that parts of the July 31, 1984, order were not vacated by the district court. That contention is manifestly erroneous. Neither component of the July 31, 1984, order remains to be executed. The plan was vacated and the schedule was amended.

Appellants confuse the concepts "order" and "opinion." The terms are not synonymous. An order is a directive issued by a court to the parties. An opinion is a court's statement of reasons for its order or judgment. Rogers v. Hill, 289 U.S. 582, 587 (1933). The parts of the July 31st opinion that appellants contend were not vacated are not part of the district court's order but are merely reasons that explain its order.

Appellate courts review judgments, decrees, and orders, not mere opinions or statements of reasons for orders. United States v. Ferreira, 13 How. 40, 14 L. Ed. 42 (1851); Highland Supply Corp. v. Reynolds Metals Co., 327 F. 2d 725, 729 (8th Cir. 1964). This appeal should be dismissed because the order of July 31

no longer remains for this Court to review. Review of the opinion is not a judicial function, United States v. Ferreira, 13 How. at 47. Review of the vacated order would be purely hypothetical.

In their insistence on this appeal of a vacated order, appellants ask this Court to violate a principle articulated by the first Chief Justice of this Court: a prohibition against advisory opinions. Issuance of opinions unrelated to a controversy between two parties is not a judicial function and accordingly will not be performed by the Court. Correspondence and Public Papers of John Jay, 486 (1891). This fundamental limitation on action by the Court, derived from Article III, Section 2, Clause 1, has been consistently and repeatedly

adhered to in the nearly two centuries since Chief Justice Jay declined Secretary of State Jefferson's invitation to express the Court's views on hypothetical issues. E.g., North Carolina v. Rice, 404 U.S. 244 (1971), Muskrat v. United States, 219 U.S. 346 (1911); Hayburn's Case, 2 Dall. 409, 1 L. Ed. 436 (1792).

When an issue is not moot, it involves a substantial controversy of "immediacy and reality," Golden v. Zwicker, 394 U.S. 103, 108 (1969), which "admit[s] of specific relief through a decree of a conclusive character, as distinguished from an opinion advising what the law would be on a hypothetical state of facts." Aetna Life Insurance Co. v. Haworth, 300 U.S. 227, 241 (1937). Since the district court's order has been

vacated, a decree of this Court would have no effect on the parties. Appellants concede that the August 13, 1984, order, which vacated the July 31, 1984, order, rendered this appeal moot. J.S. 15. The import of the appeal becoming moot is that all allegations of error in the district court's reasoning behind its order are also moot. Battle v. Anderson, 708 F. 2d at 1527.

"Mootness is a jurisdictional question because the Court 'is not empowered to decide moot questions or abstract propositions.'" North Carolina v. Rice, 404 U.S. at 246, quoting United States v. Alaska S. S. Co., 253 U.S. 113, 116 (1920). The lack of power to review moot issues results from the prerequisite in Article III, Section 2, Clause 1 that judicial power be exercised only in a case or contro-

versy. North Carolina v. Rice, 404 U.S. at 246. By admitting that this appeal is moot, appellants admit this Court's lack of jurisdiction to hear this appeal. North Carolina v. Rice, 404 U.S. at 246.

2. This appeal should be dismissed for want of jurisdiction as the order objected to is not final and none of the cited statutes confers jurisdiction in this Court.

Appellants have appealed this case directly from a three judge district court in South Carolina. No statute permits them to by-pass the Fourth Circuit Court of Appeals and bring this appeal directly to this court. Furthermore, appellants have taken this appeal from a conditional,

interim order of a three judge district court. No authority exists to permit the appeal of such a non-final order to either this court or the circuit court of appeals.

"The general principle of federal appellate jurisdiction, derived from the common law and enacted by the First Congress, requires that review of nisi prius proceedings await their termination by final judgment." Di Bella v. United States, 369 U.S. 121, 124 (1962). Absent an express statutory exception, only final judgments and final decrees may be appealed. Baltimore and Ohio R.R. Co. v. Interstate Commerce Commission, 215 U.S. 216 (1909). The July 31, 1984, order is not a final judgment from which an appeal may be taken.

To be final a judgment "must terminate the litigation between the parties on the merits of the case, so that, if there should be an affirmance here, the court below would have nothing to do but to execute the judgment or decree which had been rendered." Benjamin v. DuBois, 118 U.S. 46, 48 (1886). In this case, as in Benjamin v. DuBois, the order at issue is not one which could be executed if it were affirmed. The final order in this case, which has been implemented, was filed August 13, 1984, and effects completely different relief from the July order. The July 31, 1984, order is clearly not a final order and, therefore, is not within this Court's jurisdiction. Baltimore and Ohio R.R., 215 U.S., 216.

Appellants seek to deprive the Court of several of the advantages of the final judgment rule by appealing a vacated order. The mootness that resulted from subsequent circumstances in this case is a common occurrence that works to the advantage of appellate courts by eliminating the need for many appeals. Wright and Miller, Federal Practice and Procedure: Civil Section 3907 at 432. The finality requirement and prohibition against piecemeal appeals is intended to "discourage undue litigiousness and leaden-footed administration of justice," Di Bella v. United States, 369 U.S. at 124. This appeal of an order that has been vacated is an excellent example of undue litigation that clogs the judicial system.

Moreover, no statute confers jurisdiction on the Court to hear this appeal directly from the district court. Neither statute cited by appellants in favor of jurisdiction is applicable. Section 1253 of Title 28 permits direct appeals to this Court only from orders of three judge courts that grant or deny injunctions. Since the July 31, 1984, order has been vacated, it neither grants nor denies an injunction. Accordingly, this Court has no power under 28 U.S.C. § 1253 to accept this appeal. Gunn v. University Committee, 399 U.S. 383, 390 (1970).

No jurisdiction exists under Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c, either. Section 5 confers jurisdiction on the District Court for the District of Columbia, but no other district court, for the

purpose of issuing declaratory judgments concerning the purpose and effect of voting changes, and confers jurisdiction on this Court to hear direct appeals of such declaratory judgment actions. 42 U.S.C. § 1973c.

This is not a Section 5 declaratory judgment action and is not on appeal from the District of Columbia. The South Carolina district court has no jurisdiction under Section 5. Section 5 grants exclusive jurisdiction of actions thereunder to the district court in the District of Columbia. 42 U.S.C. § 1973c. Jurisdiction for the district court in South Carolina to enjoin violations of Section 5 is conferred only by 42 U.S.C. § 1973j(d) and that section does not provide for direct appeals to this Court. Accordingly, the Voting Rights

Act does not, in Section 5 or elsewhere, confer jurisdiction on this Court to hear a direct appeal from a three judge district court in the District of South Carolina. But see Allen v. State Bd. of Elections, 393 U.S. 544 (1969).

The requirement that this matter be heard by a district court of three judges is contained not in Section 5 of the Voting Rights Act, as the district court erroneously concluded, but in 28 U.S.C. § 2284. That section also does not permit direct appeals to this Court. If the July 31st order were a final order, the appeal would lie to the Fourth Circuit Court of Appeals, not directly to this Court from the district court.

3. This appeal should be dismissed because it seeks relief that is either redundant or which appellants should have obtained by prompt action in the Court below but did not.

The finality requirement also permits district courts the opportunity to correct mistakes since ordinarily only the final order in a case is appealable. In this case, the district court, having recognized that reapportionment is primarily a legislative function, foresightfully provided that if a statutory plan became available before candidate filing began under the court's interim plan, the parties could ask that its order be vacated. J.S. App. 51a-52a. The contemplated condition occurred and the district court vacated its plan on August 13, 1984.

The district court also superseded the remainder of its July 31, 1984, order, which had provided a schedule for 1984 Senate elections under the court-adopted plan, with an entirely new schedule for use with the permanent statutory plan. J.S. App. 53a et. seq. This Court would serve no judicial purpose and waste judicial resources by accepting this appeal from a conditional interim order that the district court has already vacated. The relief sought here is redundant. The order of July 31 having been vacated and superseded the opinion which supported its conclusion is of no effect. To reason otherwise is to grant to the district court the power to render advisory opinions.

Appellants cite no case that suggests they are entitled to the

relief requested. Each of the cases they cite on page 16 of their jurisdictional statement involves an appeal from a final order or judgment, which remained extant at the time of the appeal. Appellants seek to appeal from a conditional interim order which has been vacated by the court below. Each of the cases they cite had become moot between the time judgment was entered and the appeal was heard. This case is not moot; only the issue of the July 31, 1984, order is moot. Therefore, the relief granted in the cases appellants cite, remand with directions to dismiss the action, is inappropriate.

Moreover, the relief appellants seek should be denied for the same reason that remand was denied in United States v. Munsingwear, 340 U.S.

36 (1950), the case upon which they principally rely. Appellants, like the United States in Munsingwear, could have asked the district court for the relief they seek from this Court. They failed to take advantage of that available remedy. Appellants, having slept on their rights, now want this Court to do for them what they could have done for themselves. United States v. Munsingwear, 340 U.S. at 40-41. As this Court concluded in Munsingwear, the request should be denied.

Conclusion

This appeal is a waste of judicial resources. It is the epitome of the kind of piecemeal litigation this Court has consistently refused to permit, and exemplifies the reasons this Court generally reviews only final orders of the lower courts. The issue herein is moot, by appellants' own admission. Appellants seek from this Court an advisory opinion on hypothetical questions. Jurisdiction to hear this appeal is not conferred by any statute and is precluded by the limitations in Article III, Section 2, Clause 1 of the Constitution.

Appellees Daniel, Dennis, and Williams, Sheheen, Schwartz, and Ellisor respectfully submit that this

Court lacks jurisdiction to hear this appeal and, therefore, appellees' motion to dismiss should be granted.

Respectfully submitted,

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Appendix A

28 U.S.C. § 1253. Direct appeals from decisions of three judge courts

Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.

Appendix B

42 U.S.C. § 1973c. Alteration of voting qualifications and procedures; action by State or political subdivision for declaratory judgment of no denial or abridgement of voting rights; three-judge district court; appeal to Supreme Court

Whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the first sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard practice, or procedure with respect to

voting different from that in force or effect on November 1, 1964, or whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the second sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1968, or whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the third sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to

voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1972, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: Provided, That such qualification,

prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, or upon good cause shown, to facilitate an expedited approval within sixty days after such submission, the Attorney General has affirmatively indicated that such objection will not be made. Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement

of such qualification, prerequisite, standard, practice, or procedure. In the event the Attorney General affirmatively indicates that no objection will be made within the sixty-day period following receipt of a submission, the Attorney General may reserve the right to reexamine the submission if additional information comes to his attention during the remainder of the sixty-day period which would otherwise require objection in accordance with this section. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of Title 28 and any appeal shall lie to the Supreme Court.